



महाराष्ट्र शासन राजपत्र

भाग सहा

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संसदेचे अधिनियम व राष्ट्रपतींनी प्रख्यापित केलेले अध्यादेश

अनुक्रमणिका

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LAW AND JUDICIARY DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 20th June 2014.

No. 815/B.—The following Acts of Parliament are hereby re-published for general information :—

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 1st January 2014/Pausa 11, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 1st January 2014, and is hereby published for general information :—

THE LOKPAL AND LOKAYUKTAS ACT, 2013

(No. 1 of 2014)

[1st January 2014.]

An Act to provide for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.

WHEREAS the Constitution of India established a Democratic Republic to ensure justice for all ;

AND WHEREAS India has ratified the United Nations Convention Against Corruption ;

AND WHEREAS the Government's commitment to clean and responsive governance has to be reflected in effective bodies to contain and punish acts of corruption ;

NOW , THEREFORE, it is expedient to enact a law, for more effective implementation of the said Convention and to provide for prompt and fair investigation and prosecution in cases of corruption.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows :—

PART I

PRELIMINARY

1. *Short title, extent application and commencement.*—(1) This Act may be called the Lokpal and Lokayuktas Act, 2013.

(2) It extends to the whole of India.

(3) It shall apply to public servants in and outside India.

(4) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint.

PART II

LOKPAL FOR THE UNION

CHAPTER I

DEFINITIONS

2. *Definitions.*—(1) In this Act, unless the context otherwise requires,—

(a) “bench” means a bench of the Lokpal ;

(b) “Chairperson” means the Chairperson of the Lokpal ;

(c) “competent authority”, in relation to—

(i) the Prime Minister, means the House of the People ;

(ii) a member of the Council of Ministers, means the Prime Minister ;

(iii) a member of Parliament other than a Minister, means—

(A) in the case of a member of the Council of States, the Chairman of the Council ;
and

(B) in the case of a member of the House of the People, the Speaker of the House ;

(iv) an officer in the Ministry or Department of the Central Government, means the Minister in charge of the Ministry or Department under which the officer is serving ;

(v) a chairperson or members of any body or Board or corporation or authority or company or society or autonomous body (by whatever name called) established or constituted under any Act of Parliament or wholly or partly financed by the Central Government or controlled by it, means the Minister in charge of the administrative Ministry of such body or Board or corporation or authority or company or society or autonomous body ;

(vi) an officer of any body or Board or corporation or authority or company or society or autonomous body (by whatever name called) established or constituted under any Act of Parliament or wholly or partly financed by the Central Government or controlled by it, means the head of such body or Board or corporation or authority or company or society or autonomous body ;

(vii) in any other case not falling under sub-clauses (i) to (vi) above, means such Department or authority as the Central Government may, by notification, specify :

Provided that if any person referred to in sub-clause (v) or sub-clause (vi) is also a member of Parliament, then, the competent authority shall be,—

(A) in case such member is a member of the Council of States, the Chairman of the Council ; and

(B) in case such member is a member of the House of the People, the Speaker of the House ;

(d) “Central Vigilance Commission” means the Central Vigilance Commission constituted under sub-section (1) of section 3 of the Central Vigilance Commission Act, 2003 (45 of 2003) ;

(e) “complaint” means a complaint, made in such form as may be prescribed, alleging that a public servant has committed an offence punishable under the Prevention of Corruption Act, 1988 (49 of 1988) ;

(f) “Delhi Special Police Establishment” means the Delhi Special Police Establishment constituted under sub-section (1) of section 2 of the Delhi Special Police Establishment Act, 1946 (25 of 1946) ;

(g) “investigation” means an investigation as defined under clause (h) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) ;

(h) “Judicial Member” means a Judicial Member of the Lokpal ;

(i) “Lokpal” means the body established under section 3 ;

(j) “Member” means a Member of the Lokpal ;

(k) “Minister” means a Union Minister but does not include the Prime Minister ;

(l) “notification” means notification published in the *Official Gazette* and the expression “notify” shall be construed accordingly ;

(m) “preliminary inquiry” means an inquiry conducted under this Act ;

(n) “prescribed” means prescribed by rules made under this Act ;

(o) “public servant” means a person referred to in clauses (a) to (h) of sub-section (1) of section 14 but does not include a public servant in respect of whom the jurisdiction is exercisable by any court or other authority under the Army Act, 1950 (45 of 1950), the Air Force Act, 1950 (46 of 1950), the Navy Act, 1957 (62 of 1957) and the Coast Guard Act, 1978 (30 of 1978) or the procedure is applicable to such public servant under those Acts ;

(p) “regulations” means regulations made under this Act ;

(q) “rules” means rules made under this Act ;

(r) “Schedule” means a Schedule appended to this Act ;

(s) “Special Court” means the court of a Special Judge appointed under sub-section (1) of section 3 of the Prevention of Corruption Act, 1988 (49 of 1988).

(2) The words and expressions used herein and not defined in this Act but defined in the Prevention of Corruption Act, 1988 (49 of 1988), shall have the meanings respectively assigned to them in that Act.

(3) Any reference in this Act to any other Act or provision thereof which is not in force in any area to which this Act applies shall be construed to have a reference to the corresponding Act or provision thereof in force in such area.

CHAPTER II

ESTABLISHMENT OF LOKPAL

3. *Establishment of Lokpal.*—(1) On and from the commencement of this Act, there shall be established, for the purpose of this Act, a body to be called the “Lokpal”.

(2) The Lokpal shall consist of—

(a) a Chairperson, who is or has been a Chief Justice of India or is or has been a Judge of the Supreme Court or an eminent person who fulfils the eligibility specified in clause (b) of sub-section (3); and

(b) such number of Members, not exceeding eight out of whom fifty per cent. shall be Judicial Members :

Provided that not less than fifty per cent. of the Members of the Lokpal shall be from amongst the persons belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Minorities and women.

(3) A person shall be eligible to be appointed,—

(a) as a Judicial Member if he is or has been a Judge of the Supreme Court or is or has been a Chief Justice of a High Court ;

(b) as a Member other than a Judicial Member, if he is a person of impeccable integrity and outstanding ability having special knowledge and expertise of not less than twenty-five years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.

(4) The Chairperson or a Member shall not be—

(i) a member of Parliament or a member of the Legislature of any State or Union territory ;

(ii) a person convicted of any offence involving moral turpitude ;

(iii) a person of less than forty-five years of age, on the date of assuming office as the Chairperson or Member, as the case may be ;

(iv) a member of any Panchayat or Municipality ;

(v) a person who has been removed or dismissed from the service of the Union or a State, and shall not hold any office of trust or profit (other than his office as the Chairperson or a Member) or be affiliated with any political party or carry on any business or practise any profession and, accordingly, before he enters upon his office, a person appointed as the Chairperson or a Member, as the case may be, shall, if,—

(a) he holds any office of trust or profit, resign from such office ; or

(b) he is carrying on any business, sever his connection with the conduct and management of such business ; or

(c) he is practising any profession, cease to practise such profession.

4. *Appointment of Chairperson and Members on recommendations of Selection Committee.*—

(1) The Chairperson and Members shall be appointed by the President after obtaining the recommendations of a Selection Committee consisting of,—

(a) the Prime Minister—Chairperson ;

(b) the Speaker of the House of the People—Member ;

(c) the Leader of Opposition in the House of the People—Member ;

(d) the Chief Justice of India or a Judge of the Supreme Court nominated by him—Member ;

(e) one eminent jurist, as recommended by the Chairperson and Members referred to in clauses (a) to (d) above, to be nominated by the President—Member.

(2) No appointment of a Chairperson or a Member shall be invalid merely by reason of any vacancy in the Selection Committee.

(3) The Selection Committee shall for the purposes of selecting the Chairperson and Members of the Lokpal and for preparing a panel of persons to be considered for appointment as such, constitute a Search Committee consisting of at least seven persons of standing and having special knowledge and expertise in the matters relating to anti-corruption policy, public administration, vigilance, policy making, finance including insurance and banking, law and management or in any other matter which, in the opinion of the Selection Committee, may be useful in making the selection of the Chairperson and Members of the Lokpal :

Provided that not less than fifty per cent. of the members of the Search Committee shall be from amongst the persons belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Minorities and Women :

Provided further that the Selection Committee may also consider any person other than the persons recommended by the Search Committee.

(4) The Selection Committee shall regulate its own procedure in a transparent manner for selecting the Chairperson and Members of the Lokpal.

(5) The term of the Search Committee referred to in sub-section (3), the fees and allowances payable to its members and the manner of selection of panel of names shall be such as may be prescribed.

5. Filing of vacancies of Chairperson of Members.—The President shall take or cause to be taken all necessary steps for the appointment of a new Chairperson and Members at least three months before the expiry of the term of the Chairperson or Member, as the case may be, in accordance with the procedure laid down in this Act.

6. Term of office of Chairperson and Members.—The Chairperson and every Member shall, on the recommendations of the Selection Committee, be appointed by the President by warrant under his hand and seal and hold office as such for a term of five years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier :

Provided that he may—

- (a) by writing under his hand addressed to the President, resign his office ; or
- (b) be removed from his office in the manner provided in section 37.

7. Salary allowances and other conditions of service of Chairperson and Members.—The salary, allowances and other conditions of service of—

- (i) the Chairperson shall be the same as those of the Chief Justice of India ;
- (ii) other Members shall be the same as those of a Judge of the Supreme Court :

Provided that if the Chairperson or a Member is, at the time of his appointment, in receipt of pension (other than disability pension) in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of service as the Chairperson or, as the case may be, as a Member, be reduced—

- (a) by the amount of that pension ; and
- (b) if he has, before such appointment, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension :

Provided further that the salary, allowances and pension payable to, and other conditions of service of, the Chairperson or a Member shall not be varied to his disadvantage after his appointment.

8. Restriction on employment by Chairperson and Members after ceasing to hold office.—(1) On ceasing to hold office, the Chairperson and every Member shall be ineligible for—

- (i) reappointment as the Chairperson or a Member of the Lokpal ;
- (ii) any diplomatic assignment, appointment as administrator of a Union territory and such other assignment or appointment which is required by law to be made by the President by warrant under his hand and seal ;

(iii) further employment to any other office of profit under the Government of India or the Government of a State ;

(iv) contesting any election of President or Vice-President or Member of either House of Parliament or Member of either House of a State Legislature or Municipality or Panchayat within a period of five years from the date of relinquishing the post.

(2) Notwithstanding anything contained in sub-section (1), a Member shall be eligible to be appointed as a Chairperson, if his total tenure as Member and Chairperson does not exceed five years.

Explanation.—For the purposes of this section, it is hereby clarified that where the Member is appointed as the Chairperson, his term of office shall not be more than five years in aggregate as the Member and the Chairperson.

9. Member to act as Chairperson or to discharge his functions in certain circumstances.—

(1) In the event of occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the President may, by notification, authorise the senior-most Member to act as the Chairperson until the appointment of a new Chairperson to fill such vacancy.

(2) When the Chairperson is unable to discharge his functions owing to absence on leave or otherwise, the senior-most Member available, as the President may, by notification, authorise in this behalf, shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties.

10. Secretary other officers and staff of Lokpal.—(1) There shall be a Secretary to the Lokpal in the rank of Secretary to Government of India, who shall be appointed by the Chairperson from a panel of names sent by the Central Government.

(2) There shall be a Director of Inquiry and a Director of Prosecution not below the rank of Additional Secretary to the Government of India or equivalent, who shall be appointed by the Chairperson from a panel of names sent by the Central Government.

(3) The appointment of officers and other staff of the Lokpal shall be made by the Chairperson or such Member or officer of Lokpal as the Chairperson may direct :

Provided that the President may by rule require that the appointment in respect of any post or posts as may be specified in the rule, shall be made after consultation with the Union Public Service Commission.

(4) Subject to the provisions of any law made by Parliament, the conditions of service of Secretary and other officers and staff of the Lokpal shall be such as may be specified by regulations made by the Lokpal for the purpose :

Provided that the regulations made under this sub-section shall, so far as they relate to salaries, allowances, leave or pensions, require the approval of the President.

CHAPTER III

INQUIRY WING

11. Inquiry Wing.—(1) Notwithstanding anything contained in any law for the time being in force, the Lokpal shall constitute an Inquiry Wing headed by the Director of Inquiry for the purpose of conducting preliminary inquiry into any offence alleged to have been committed by a public servant punishable under the Prevention of Corruption Act, 1988 (49 of 1988) :

Provided that till such time the Inquiry Wing is constituted by the Lokpal, the Central Government shall make available such number of officers and other staff from its Ministries or Departments, as may be required by the Lokpal, for conducting preliminary inquiries under this Act.

(2) For the purposes of assisting the Lokpal in conducting a preliminary inquiry under this Act, the officers of the Inquiry Wing not below the rank of the Under Secretary to the Government of India, shall have the same powers as are conferred upon the Inquiry Wing of the Lokpal under section 27.

CHAPTER IV

PROSECUTION WING

12. Prosecution Wing.—(1) The Lokpal shall, by notification, constitute a Prosecution Wing headed by the Director of Prosecution for the purpose of prosecution of public servants in relation to any complaint by the Lokpal under this Act :

Provided that till such time the Prosecution Wing is constituted by the Lokpal, the Central Government shall make available such number of officers and other staff from its Ministries or Departments, as may be required by the Lokpal, for conducting prosecution under this Act.

(2) The Director of Prosecution shall, after having been so directed by the Lokpal, file a case in accordance with the findings of investigation report, before the Special Court and take all necessary steps in respect of the prosecution of public servants in relation to any offence punishable under the Prevention of Corruption Act, 1988 (49 of 1988).

(3) The case under sub-section (2), shall be deemed to be a report, filed on completion of investigation, referred to in section 173 of the Code of Criminal Procedure, 1973 (2 of 1974).

CHAPTER V

EXPENSES OF LOKPAL TO BE CHARGED ON CONSOLIDATED FUND OF INDIA

13. Expenses of Lokpal to be charged on Consolidated Fund of India.—The administrative expenses of the Lokpal, including all salaries, allowances and pensions payable to or in respect of the Chairperson, Members or Secretary or other officers or staff of the Lokpal, shall be charged upon the Consolidated Fund of India and any fees or other moneys taken by the Lokpal shall form part of that Fund.

CHAPTER VI

JURISDICTION IN RESPECT OF INQUIRY

14. Jurisdiction of Lokpal to include Prime Minister, Ministers members of Parliament Group A, B, C and D officers and officials of Central Government.—(1) Subject to the other provisions of this Act, the Lokpal shall inquire or cause an inquiry to be conducted into any matter involved in, or arising from, or connected with, any allegation of corruption made in a complaint in respect of the following, namely :—

(a) any person who is or has been a Prime Minister :

Provided that the Lokpal shall not inquire into any matter involved in, or arising from, or connected with, any such allegation of corruption against the Prime Minister,—

(i) in so far as it relates to international relations, external and internal security, public order, atomic energy and space ;

(ii) unless a full bench of the Lokpal consisting of its Chairperson and all Members considers the initiation of inquiry and at least two-thirds of its Members approves of such inquiry :

Provided further that any such inquiry shall be held *in camera* and if the Lokpal comes to the conclusion that the complaint deserves to be dismissed, the records of the inquiry shall not be published or made available to anyone ;

(b) any person who is or has been a Minister of the Union ;

(c) any person who is or has been a member of either House of Parliament ;

(d) any Group 'A' or Group 'B' officer or equivalent or above, from amongst the public servants defined in sub-clauses (i) and (ii) of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (49 of 1988) when serving or who has served, in connection with the affairs of the Union ;

(e) any Group 'C' or Group 'D' official or equivalent, from amongst the public servants defined in sub-clauses (i) and (ii) of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (49 of 1988) when serving or who has served in connection with the affairs of the Union subject to the provision of sub-section (1) of section 20 ;

(f) any person who is or has been a Chairperson or member or officer or employee in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of Parliament or wholly or partly financed by the Central Government or controlled by it :

Provided that in respect of such officers referred to in clause (d) who have served in connection with the affairs of the Union or in any body or Board or corporation or authority or company or society or trust or autonomous body referred to in clause (e) but are working in connection with the affairs of the State or in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of the State Legislature or wholly or partly financed by the State Government or controlled by it, the Lokpal and the officers of its Inquiry Wing or Prosecution Wing shall have jurisdiction under this Act in respect of such officers only after obtaining the consent of the concerned State Government ;

(g) any person who is or has been a director, manager, secretary or other officer of every other society or association of persons or trust (whether registered under any law for the time being in force or not), by whatever name called, wholly or partly financed by the Government and the annual income of which exceeds such amount as the Central Government may, by notification, specify ;

(h) any person who is or has been a director, manager, secretary or other officer of every other society or association of persons or trust (whether registered under any law for the time being in force or not) in receipt of any donation from any foreign source under the Foreign Contribution (Regulation) Act, 2010 (42 of 2010) in excess of ten lakh rupees in a year or such higher amount as the Central Government may, by notification, specify.

Explanation.—For the purpose of clauses (f) and (g), it is hereby clarified that any entity or institution, by whatever name called, corporate, society, trust, association of persons, partnership, sole proprietorship, limited liability partnership (whether registered under any law for the time being in force or not), shall be the entities covered in those clauses :

Provided that any person referred to in this clause shall be deemed to be a public servant under clause (c) of section 2 of the Prevention of Corruption Act, 1988 (49 of 1988) and the provisions of that Act shall apply accordingly.

(2) Notwithstanding anything contained in sub-section (1), the Lokpal shall not inquire into any matter involved in, or arising from, or connected with, any such allegation of corruption against any member of either House of Parliament in respect of anything said or a vote given by him in Parliament or any committee thereof covered under the provisions contained in clause (2) of article 105 of the Constitution.

(3) The Lokpal may inquire into any act or conduct of any person other than those referred to in sub-section (1), if such person is involved in the act of abetting, bribe giving or bribe taking or conspiracy relating to any allegation of corruption under the Prevention of Corruption Act, 1988 (49 of 1988) against a person referred to in sub-section (1) :

Provided that no action under this section shall be taken in case of a person serving in connection with the affairs of a State, without the consent of the State Government.

(4) No matter in respect of which a complaint has been made to the Lokpal under this Act, shall be referred for inquiry under the Commissions of Inquiry Act, 1952 (60 of 1952).

Explanation.—For the removal of doubts, it is hereby declared that a complaint under this Act shall only relate to a period during which the public servant was holding or serving in that capacity.

15. Matters pending before any court or committee or authority for inquiry not to be affected.—In case any matter or proceeding related to allegation of corruption under the Prevention of Corruption Act, 1988 (49 of 1988) has been pending before any court or committee of either House of Parliament or before any other authority prior to commencement of this Act or prior to commencement of any inquiry after the commencement of this Act, such matter or proceeding shall be continued before such court, committee or authority.

16. Constitution of benches of Lokpal.—(1) Subject to the provisions of this Act,—

- (a) the jurisdiction of the Lokpal may be exercised by benches thereof ;
- (b) a bench may be constituted by the Chairperson with two or more Members as the Chairperson may deem fit ;
- (c) every bench shall ordinarily consist of at least one Judicial Member ;
- (d) where a bench consists of the Chairperson, such bench shall be presided over by the Chairperson ;
- (e) where a bench consists of a Judicial Member, and a non-Judicial Member, not being the Chairperson, such bench shall be presided over by the Judicial Member ;
- (f) the benches of the Lokpal shall ordinarily sit at New Delhi and at such other places as the Lokpal may, by regulations, specify.

(2) The Lokpal shall notify the areas in relation to which each bench of the Lokpal may exercise jurisdiction.

(3) Notwithstanding anything contained in sub-section (2), the Chairperson shall have the power to constitute or reconstitute benches from time to time.

(4) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member that the case or matter is of such nature that it ought to be heard by a bench consisting of three or more Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to such bench as the Chairperson may deem fit.

17. Distribution of business amongst benches.—Where benches are constituted, the Chairperson may, from time to time, by notification, make provisions as to the distribution of the business of the Lokpal amongst the benches and also provide for the matters which may be dealt with by each bench.

18. Power of Chairperson to transfer cases.—On an application for transfer made by the complainant or the public servant, the Chairperson, after giving an opportunity of being heard to the complainant or the public servant, as the case may be, may transfer any case pending before one bench for disposal to any other bench.

19. Decision to be by majority.—If the Members of a bench consisting of an even number of Members differ in opinion on any point, they shall state the point or points on which they differ, and make a reference to the Chairperson who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other Members of the Lokpal and such point or points shall be decided according to the opinion of the majority of the Members of the Lokpal who have heard the case, including those who first heard it.

CHAPTER VII

PROCEDURE IN RESPECT OF PRELIMINARY INQUIRY AND INVESTIGATION

20. Provisions relating to complaints and preliminary inquiry and investigation.—(1) The Lokpal on receipt of a complaint, if it decides to proceed further, may order—

- (a) preliminary inquiry against any public servant by its Inquiry Wing or any agency (including the Delhi Special Police Establishment) to ascertain whether there exists a *prima facie* case for proceeding in the matter ; or
- (b) investigation by any agency (including the Delhi Special Police Establishment) when there exists a *prima facie* case :

Provided that the Lokpal shall if it has decided to proceed with the preliminary inquiry, by a general or special order, refer the complaints or a category of complaints or a complaint received by it in respect of public servants belonging to Group A or Group B or Group C or Group D to the Central Vigilance Commission constituted under sub-section (1) of section 3 of the Central Vigilance Commission Act, 2003 (45 of 2003) :

Provided further that the Central Vigilance Commission in respect of complaints referred to it under the first proviso, after making preliminary inquiry in respect of public servants

belonging to Group A and Group B, shall submit its report to the Lokpal in accordance with the provisions contained in sub-sections (2) and (4) and in case of public servants belonging to Group C and Group D, the Commission shall proceed in accordance with the provisions of the Central Vigilance Commission Act, 2003 (45 of 2003) :

Provided also that before ordering an investigation under clause (b), the Lokpal shall call for the explanation of the public servant so as to determine whether there exists a *prima facie* case for investigation :

Provided also that the seeking of explanation from the public servant before an investigation shall not interfere with the search and seizure, if any, required to be undertaken by any agency (including the Delhi Special Police Establishment) under this Act.

(2) During the preliminary inquiry referred to in sub-section (1), the Inquiry Wing or any agency (including the Delhi Special Police Establishment) shall conduct a preliminary inquiry and on the basis of material, information and documents collected seek the comments on the allegations made in the complaint from the public servant and the competent authority and after obtaining the comments of the concerned public servant and the competent authority, submit, within sixty days from the date of receipt of the reference, a report to the Lokpal.

(3) A bench consisting of not less than three Members of the Lokpal shall consider every report received under sub-section (2) from the Inquiry Wing or any agency (including the Delhi Special Police Establishment), and after giving an opportunity of being heard to the public servant, decide whether there exists a *prima facie* case, and proceed with one or more of the following actions, namely :—

(a) investigation by any agency or the Delhi Special Police Establishment, as the case may be ;

(b) initiation of the departmental proceedings or any other appropriate action against the concerned public servants by the competent authority ;

(c) closure of the proceedings against the public servant and to proceed against the complainant under section 46.

(4) Every preliminary inquiry referred to in sub-section (1) shall ordinarily be completed within a period of ninety days and for reasons to be recorded in writing, within a further period of ninety days from the date of receipt of the complaint.

(5) In case the Lokpal decides to proceed to investigate into the complaint, it shall direct any agency (including the Delhi Special Police Establishment) to carry out the investigation as expeditiously as possible and complete the investigation within a period of six months from the date of its order :

Provided that the Lokpal may extend the said period by a further period not exceeding of six months at a time for the reasons to be recorded in writing.

(6) Notwithstanding anything contained in section 173 of the Code of Criminal Procedure, 1973 (2 of 1974), any agency (including the Delhi Special Police Establishment) shall, in respect of cases referred to it by the Lokpal, submit the investigation report under that section to the court having jurisdiction and forward a copy thereof to the Lokpal.

(7) A bench consisting of not less than three Members of the Lokpal shall consider every report received by it under sub-section (6) from any agency (including the Delhi Special Police Establishment) and after obtaining the comments of the competent authority and the public servant may—

(a) grant sanction to its Prosecution Wing or investigating agency to file charge-sheet or direct the closure of report before the Special Court against the public servant ;

(b) direct the competent authority to initiate the departmental proceedings or any other appropriate action against the concerned public servant.

(8) The Lokpal may, after taking a decision under sub-section (7) on the filing of the charge-sheet, direct its Prosecution Wing or any investigating agency (including the Delhi Special Police Establishment) to initiate prosecution in the Special Court in respect of the cases investigated by the agency.

(9) The Lokpal may, during the preliminary inquiry or the investigation, as the case may be, pass appropriate orders for the safe custody of the documents relevant to the preliminary inquiry or, as the case may be, investigation as it deems fit.

(10) The website of the Lokpal shall, from time to time and in such manner as may be specified by regulations, display to the public, the status of number of complaints pending before it or disposed of by it.

(11) The Lokpal may retain the original records and evidences which are likely to be required in the process of preliminary inquiry or investigation or conduct of a case by it or by the Special Court.

(12) Save as otherwise provided, the manner and procedure of conducting a preliminary inquiry or investigation (including such material and documents to be made available to the public servant) under this Act, shall be such as may be specified by regulations.

21. Persons likely to be prejudicially affected to be heard.—If, at any stage of the proceeding, the Lokpal—

(a) considers it necessary to inquire into the conduct of any person other than the accused ; or

(b) is of opinion that the reputation of any person other than an accused is likely to be prejudicially affected by the preliminary inquiry, the Lokpal shall give to that person a reasonable opportunity of being heard in the preliminary inquiry and to produce evidence in his defence, consistent with the principles of natural justice.

22. *Lokpal may require any public servant of any other person to furnish information etc.*—Subject to the provisions of this Act, for the purpose of any preliminary inquiry or investigation, the Lokpal or the investigating agency, as the case may be, may require any public servant or any other person who, in its opinion, is able to furnish information or produce documents relevant to such preliminary inquiry or investigation, to furnish any such information or produce any such document.

23. *Power of Lokpal to grant sanction for initiating prosecution.*—(1) Notwithstanding anything contained in section 197 of the Code of Criminal Procedure, 1973 (2 of 1974) or section 6A of the Delhi Special Police Establishment Act, 1946 (25 of 1946) or section 19 of the Prevention of Corruption Act, 1988 (49 of 1988), the Lokpal shall have the power to grant sanction for prosecution under clause (a) of sub-section (7) of section 20.

(2) No prosecution under sub-section (1) shall be initiated against any public servant accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, and no court shall take cognizance of such offence except with the previous sanction of the Lokpal.

(3) Nothing contained in sub-sections (1) and (2) shall apply in respect of the persons holding office in pursuance of the provisions of the Constitution and in respect of which a procedure for removal of such person has been specified therein.

(4) The provisions contained in sub-sections (1), (2) and (3) shall be without prejudice to the generality of the provisions contained in article 311 and sub-clause (c) of clause (3) of article 320 of the Constitution.

24. *Action on investigation against public servant being Prime Minister, Ministers or Members of Parliament.*—Where, after the conclusion of the investigation, the findings of the Lokpal disclose the commission of an offence under the Prevention of Corruption Act, 1988 (49 of 1988) by a public servant referred to in clause (a) or clause (b) or clause (c) of sub-section (1) of section 14, the Lokpal may file a case in the Special Court and shall send a copy of the report together with its findings to the competent authority.

CHAPTER VIII

POWERS OF LOKPAL

25. Supervisory powers of Lokpal.—(1) The Lokpal shall, notwithstanding anything contained in section 4 of the Delhi Special Police Establishment Act, 1946 (25 of 1946) and section 8 of the Central Vigilance Commission Act, 2003 (45 of 2003), have the powers of superintendence over, and to give direction to the Delhi Special Police Establishment in respect of the matters referred by the Lokpal for preliminary inquiry or investigation to the Delhi Special Police Establishment under this Act :

Provided that while exercising powers of superintendence or giving direction under this sub-section, the Lokpal shall not exercise powers in such a manner so as to require any agency (including the Delhi Special Police Establishment) to whom the investigation has been given, to investigate and dispose of any case in a particular manner.

(2) The Central Vigilance Commission shall send a statement, at such interval as the Lokpal may direct, to the Lokpal in respect of action taken on complaints referred to it under the second proviso to sub-section (1) of section 20 and on receipt of such statement, the Lokpal may issue guidelines for effective and expeditious disposal of such cases.

(3) Any officer of the Delhi Special Police Establishment investigating a case referred to it by the Lokpal, shall not be transferred without the approval of the Lokpal.

(4) The Delhi Special Police Establishment may, with the consent of the Lokpal, appoint a panel of Advocates, other than the Government Advocates, for conducting the cases referred to it by the Lokpal.

(5) The Central Government may from time to time make available such funds as may be required by the Director of the Delhi Special Police Establishment for conducting effective investigation into the matters referred to it by the Lokpal and the Director shall be responsible for the expenditure incurred in conducting such investigation.

26. Search and seizure.—(1) If the Lokpal has reason to believe that any document which, in its opinion, shall be useful for, or relevant to, any investigation under this Act, are secreted in any place, it may authorise any agency (including the Delhi Special Police Establishment) to whom the investigation has been given to search for and to seize such documents.

(2) If the Lokpal is satisfied that any document seized under sub-section (1) may be used as evidence for the purpose of any investigation under this Act and that it shall be necessary to retain the document in its custody or in the custody of such officer as may be authorised, it may so retain or direct such authorised officer to retain such document till the completion of such investigation :

Provided that where any document is required to be returned, the Lokpal or the authorised officer may return the same after retaining copies of such document duly authenticated.

27. Lokpal to have powers of civil court in certain cases.—(1) Subject to the provisions of this section, for the purpose of any preliminary inquiry, the Inquiry Wing of the Lokpal shall have all the powers of a civil court, under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit in respect of the following matters, namely :—

- (i) summoning and enforcing the attendance of any person and examining him on oath ;
- (ii) requiring the discovery and production of any document ;
- (iii) receiving evidence on affidavits ;
- (iv) requisitioning any public record or copy thereof from any court or office ;
- (v) issuing commissions for the examination of witnesses or documents :

Provided that such commission, in case of a witness, shall be issued only where the witness, in the opinion of the Lokpal, is not in a position to attend the proceeding before the Lokpal ; and

- (vi) such other matters as may be prescribed.

(2) Any proceeding before the Lokpal shall be deemed to be a judicial proceeding within the meaning of section 193 of the Indian Penal Code (45 of 1860).

28. Power of Lokpal to utilise services of officers of Central or State Government.—(1) The Lokpal may, for the purpose of conducting any preliminary inquiry or investigation, utilise the services of any officer or organisation or investigating agency of the Central Government or any State Government, as the case may be.

(2) For the purpose of preliminary inquiry or investigating into any matter pertaining to such inquiry or investigation, any officer or organisation or agency whose services are utilised under sub-section (1) may, subject to the superintendence and direction of the Lokpal,—

- (a) summon and enforce the attendance of any person and examine him ;
- (b) require the discovery and production of any document ; and
- (c) requisition any public record or copy thereof from any office.

(3) The officer or organisation or agency whose services are utilised under sub-section (2) shall inquire or, as the case may be, investigate into any matter pertaining to the preliminary inquiry or investigation and submit a report thereon to the Lokpal within such period as may be specified by it in this behalf.

29. Provisional attachment of asset.—(1) Where the Lokpal or any officer authorised by it in this behalf, has reason to believe, the reason for such belief to be recorded in writing, on the basis of material in his possession, that—

- (a) any person is in possession of any proceeds of corruption ;
- (b) such person is accused of having committed an offence relating to corruption ; and
- (c) such proceeds of offence are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of offence,

the Lokpal or the authorised officer may, by order in writing, provisionally attach such property for a period not exceeding ninety days from the date of the order, in the manner provided in the Second Schedule to the Income-tax Act, 1961 (43 of 1961) and the Lokpal and the officer shall be deemed to be an officer under sub-rule (e) of rule 1 of that Schedule.

(2) The Lokpal or the officer authorised in this behalf shall, immediately after attachment under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Special Court, in a sealed envelope, in the manner as may be prescribed and such Court may extend the order of attachment and keep such material for such period as the Court may deem fit.

(3) Every order of attachment made under sub-section (1) shall cease to have effect after the expiry of the period specified in that sub-section or after the expiry of the period as directed by the Special Court under sub-section (2).

(4) Nothing in this section shall prevent the person interested in the enjoyment of the immovable property attached under sub-section (1) or sub-section (2), from such enjoyment.

Explanation.—For the purposes of this sub-section, “person interested”, in relation to any immovable property, includes all persons claiming or entitled to claim any interest in the property.

30. Confirmation of attachment of assets.—(1) The Lokpal, when it provisionally attaches any property under sub-section (1) of section 29 shall, within a period of thirty days of such attachment, direct its Prosecution Wing to file an application stating the facts of such attachment before the Special Court and make a prayer for confirmation of attachment of the property till completion of the proceedings against the public servant in the Special Court.

(2) The Special Court may, if it is of the opinion that the property provisionally attached had been acquired through corrupt means, make an order for confirmation of attachment of such property till the completion of the proceedings against the public servant in the Special Court.

(3) If the public servant is subsequently acquitted of the charges framed against him, the property, subject to the orders of the Special Court, shall be restored to the concerned public servant along with benefits from such property as might have accrued during the period of attachment.

(4) If the public servant is subsequently convicted of the charges of corruption, the proceeds relatable to the offence under the Prevention of Corruption Act, 1988 (49 of 1988) shall be confiscated and vest in the Central Government free from any encumbrance or leasehold interest excluding any debt due to any bank or financial institution.

Explanation.—For the purposes of this sub-section, the expressions “bank”, “debt” and “financial institution” shall have the meanings respectively assigned to them in clauses (d), (g) and (h) of section 2 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993).

31. Confiscation of assets, proceeds, receipts and benefits arisen or procured by means of corruption in special circumstances.—(1) Without prejudice to the provisions of sections 29 and 30, where the Special Court, on the basis of *prima facie* evidence, has reason to believe or is satisfied that the assets, proceeds, receipts and benefits, by whatever name called, have arisen or procured by means of corruption by the public servant, it may authorise the confiscation of such assets, proceeds, receipts and benefits till his acquittal.

(2) Where an order of confiscation made under sub-section (1) is modified or annulled by the High Court or where the public servant is acquitted by the Special Court, the assets, proceeds, receipts and benefits, confiscated under sub-section (1) shall be returned to such public servant, and in case it is not possible for any reason to return the assets, proceeds, receipts and benefits, such public servant shall be paid the price thereof including the money so confiscated with interest at the rate of five per cent. per annum thereon calculated from the date of confiscation.

32. Power of Lokpal to recommend transfer or suspension of public servant connected with allegation of corruption.—(1) Where the Lokpal, while making a preliminary inquiry into allegations of corruption, is *prima facie* satisfied, on the basis of evidence available,—

(i) that the continuance of the public servant referred to in clause (d) or clause (e) or clause (f) of sub-section (1) of section 14 in his post while conducting the preliminary inquiry is likely to affect such preliminary inquiry adversely ; or

(ii) such public servant is likely to destroy or in any way tamper with the evidence or influence witnesses,

then, the Lokpal may recommend to the Central Government for transfer or suspension of such public servant from the post held by him till such period as may be specified in the order.

(2) The Central Government shall ordinarily accept the recommendation of the Lokpal made under sub-section (1), except for the reasons to be recorded in writing in a case where it is not feasible to do so for administrative reasons.

33. Power of Lokpal to give directions to prevent destruction of records during preliminary inquiry.—The Lokpal may, in the discharge of its functions under this Act, issue appropriate directions to a public servant entrusted with the preparation or custody of any document or record—

(a) to protect such document or record from destruction or damage ; or

(b) to prevent the public servant from altering or secreting such document or record ; or

(c) to prevent the public servant from transferring or alienating any assets allegedly acquired by him through corrupt means.

34. Power to delegate.—The Lokpal may, by general or special order in writing, and subject to such conditions and limitations as may be specified therein, direct that any administrative or financial power conferred on it may also be exercised or discharged by such of its Members or officers or employees as may be specified in the order.

CHAPTER IX

SPECIAL COURTS

35. *Special Courts to be constituted by Central Government.*—(1) The Central Government shall constitute such number of Special Courts, as recommended by the Lokpal, to hear and decide the cases arising out of the Prevention of Corruption Act, 1988 (49 of 1988) or under this Act.

(2) The Special Courts constituted under sub-section (1) shall ensure completion of each trial within a period of one year from the date of filing of the case in the Court :

Provided that in case the trial cannot be completed within a period of one year, the Special Court shall record reasons therefor and complete the trial within a further period of not more than three months or such further periods not exceeding three months each, for reasons to be recorded in writing before the end of each such three months period, but not exceeding a total period of two years.

36. *Letter of request to a contracting State in certain cases.*—(1) Notwithstanding anything contained in this Act or the Code of Criminal Procedure, 1973 (2 of 1974) if, in the course of an preliminary inquiry or investigation into an offence or other proceeding under this Act, an application is made to a Special Court by an officer of the Lokpal authorised in this behalf that any evidence is required in connection with the preliminary inquiry or investigation into an offence or proceeding under this Act and he is of the opinion that such evidence may be available in any place in a contracting State, and the Special Court, on being satisfied that such evidence is required in connection with the preliminary inquiry or investigation into an offence or proceeding under this Act, may issue a letter of request to a court or an authority in the contracting State competent to deal with such request to—

- (i) examine the facts and circumstances of the case ;
- (ii) take such steps as the Special Court may specify in such letter of request ; and
- (iii) forward all the evidence so taken or collected to the Special Court issuing such letter of request.

(2) The letter of request shall be transmitted in such manner as the Central Government may prescribe in this behalf.

(3) Every statement recorded or document or thing received under sub-section (1) shall be deemed to be evidence collected during the course of the preliminary inquiry or investigation.

CHAPTER X

COMPLAINTS AGAINST CHAIRPERSON, MEMBERS AND OFFICIALS OF LOKPAL

37. *Removal and suspension of Chairperson and Members of Lokpal.*—(1) The Lokpal shall not inquire into any complaint made against the Chairperson or any Member.

(2) Subject to the provisions of sub-section (4), the Chairperson or any Member shall be removed from his office by order of the President on grounds of misbehaviour after the Supreme Court, on a reference being made to it by the President on a petition signed by at least one hundred Members of Parliament has, on an inquiry held in accordance with the procedure prescribed in that behalf, reported that the Chairperson or such Member, as the case may be, ought to be removed on such ground.

(3) The President may suspend from office the Chairperson or any Member in respect of whom a reference has been made to the Supreme Court under sub-section (2), on receipt of the recommendation or interim order made by the Supreme Court in this regard until the President has passed orders on receipt of the final report of the Supreme Court on such reference.

(4) Notwithstanding anything contained in sub-section (2), the President may, by order, remove from the office, the Chairperson or any Member if the Chairperson or such Member, as the case may be,—

- (a) is adjudged an insolvent ; or
- (b) engages, during his term of office, in any paid employment outside the duties of his office ; or
- (c) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

(5) If the Chairperson or any Member is, or becomes, in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (2), be deemed to be guilty of misbehaviour.

38. Complaints against officials of Lokpal.—(1) Every complaint of allegation or wrongdoing made against any officer or employee or agency (including the Delhi Special Police Establishment), under or associated with the Lokpal for an offence punishable under the Prevention of Corruption Act, 1988 (49 of 1988) shall be dealt with in accordance with the provisions of this section.

(2) The Lokpal shall complete the inquiry into the complaint or allegation made within a period of thirty days from the date of its receipt.

(3) While making an inquiry into the complaint against any officer or employee of the Lokpal or agency engaged or associated with the Lokpal, if it is *prima facie* satisfied on the basis of evidence available, that—

(a) continuance of such officer or employee of the Lokpal or agency engaged or associated in his post while conducting the inquiry is likely to affect such inquiry adversely ; or

(b) an officer or employee of the Lokpal or agency engaged or associated is likely to destroy or in any way tamper with the evidence or influence witnesses, then, the Lokpal may, by order, suspend such officer or employee of the Lokpal or divest such agency engaged or associated with the Lokpal of all powers and responsibilities hereto before exercised by it .

(4) On the completion of the inquiry, if the Lokpal is satisfied that there is *prima facie* evidence of the commission of an offence under the Prevention of Corruption Act, 1988 (49 of 1988) or of any wrongdoing, it shall, within a period of fifteen days of the completion of such inquiry, order to prosecute such officer or employee of the Lokpal or such officer, employee, agency engaged or associated with the Lokpal and initiate disciplinary proceedings against the official concerned :

Provided that no such order shall be passed without giving such officer or employee of the Lokpal, such officer, employee, agency engaged or associated, a reasonable opportunity of being heard.

CHAPTER XI

ASSESSMENT OF LOSS AND RECOVERY THEREOF BY SPECIAL COURT

39. Assessment of loss and recovery thereof by Special Court.—If any public servant is convicted of an offence under the Prevention of Corruption Act, 1988 (49 of 1988) by the Special Court, notwithstanding and without prejudice to any law for the time being in force, it may make an assessment of loss, if any, caused to the public exchequer on account of the actions or decisions of such public servant not taken in good faith and for which he stands convicted, and may order recovery of such loss, if possible or quantifiable, from such public servant so convicted :

Provided that if the Special Court, for reasons to be recorded in writing, comes to the conclusion that the loss caused was pursuant to a conspiracy with the beneficiary or beneficiaries of actions or decisions of the public servant so convicted, then such loss may, if assessed and quantifiable under this section, also be recovered from such beneficiary or beneficiaries proportionately.

CHAPTER XII

FINANCE, ACCOUNTS AND AUDIT

40. Budget.—The Lokpal shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Lokpal and forward the same to the Central Government for information.

41. Grants by Central Government.—The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Lokpal grants of such sums of money as are required to be paid for the salaries and allowances payable to the Chairperson and Members and the administrative expenses, including the salaries and allowances and pension payable to or in respect of officers and other employees of the Lokpal.

42. Annual statement of accounts.—(1) The Lokpal shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Lokpal shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.

(3) The Comptroller and Auditor-General of India or any person appointed by him in connection with the audit of the accounts of the Lokpal under this Act shall have the same rights, privileges and authority in connection with such audit, as the Comptroller and Auditor-General of India generally has, in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Lokpal.

(4) The accounts of the Lokpal, as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government and the Central Government shall cause the same to be laid before each House of Parliament.

43. Furnishing of returns, etc. to Central Government.—The Lokpal shall furnish to the Central Government, at such time and in such form and manner as may be prescribed or as the Central Government may request, such returns and statements and such particulars in regard to any matter under the jurisdiction of the Lokpal, as the Central Government may, from time to time, require.

CHAPTER XIII

DECLARATION OF ASSETS

44. Declaration of assets.—(1) Every public servant shall make a declaration of his assets and liabilities in the manner as provided by or under this Act.

(2) A public servant shall, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office, furnish to the competent authority the information relating to—

(a) the assets of which he, his spouse and his dependent children are, jointly or severally, owners or beneficiaries ;

(b) his liabilities and that of his spouse and his dependent children.

(3) A public servant holding his office as such, at the time of the commencement of this Act, shall furnish information relating to such assets and liabilities, as referred to in sub section (2), to the competent authority within thirty days of the coming into force of this Act.

(4) Every public servant shall file with the competent authority, on or before the 31st July of every year, an annual return of such assets and liabilities, as referred to in sub-section (2), as on the 31st March of that year.

(5) The information under sub-section (2) or sub-section (3) and annual return under sub-section (4) shall be furnished to the competent authority in such form and in such manner as may be prescribed.

(6) The competent authority in respect of each Ministry or Department shall ensure that all such statements are published on the website of such Ministry or Department by 31st August of that year.

Explanation.—For the purposes of this section, “dependent children” means sons and daughters who have no separate means of earning and are wholly dependent on the public servant for their livelihood.

45. Presumption as to acquisition of assets by corrupt means in certain cases.—If any public servant wilfully or for reasons which are not justifiable, fails to—

(a) to declare his assets ; or

(b) gives misleading information in respect of such assets and is found to be in possession of assets not disclosed or in respect of which misleading information was furnished, then, such assets shall, unless otherwise proved, be presumed to belong to the public servant and shall be presumed to be assets acquired by corrupt means :

Provided that the competent authority may condone or exempt the public servant from furnishing information in respect of assets not exceeding such minimum value as may be prescribed.

CHAPTER XIV

OFFENCES AND PENALTIES

46. Prosecution for false complaint and payment of compensation, etc., to public servant.—

(1) Notwithstanding anything contained in this Act, whoever makes any false and frivolous or vexatious complaint under this Act shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine which may extend to one lakh rupees.

(2) No Court, except a Special Court, shall take cognizance of an offence under sub-section (1).

(3) No Special Court shall take cognizance of an offence under sub-section (1) except on a complaint made by a person against whom the false, frivolous or vexatious complaint was made or by an officer authorised by the Lokpal.

(4) The prosecution in relation to an offence under sub-section (1) shall be conducted by the public prosecutor and all expenses connected with such prosecution shall be borne by the Central Government.

(5) In case of conviction of a person [being an individual or society or association of persons or trust (whether registered or not)], for having made a false complaint under this Act, such person shall be liable to pay compensation to the public servant against whom he made the false complaint in addition to the legal expenses for contesting the case by such public servant, as the Special Court may determine.

(6) Nothing contained in this section shall apply in case of complaints made in good faith.

Explanation.—For the purpose of this sub-section, the expression “good faith” means any act believed or done by a person in good faith with due care, caution and sense of responsibility or by mistake of fact believing himself justified by law under section 79 of the Indian Penal Code (45 of 1860).

47. False complaint made by society or association of persons or trust.—(1) Where any offence under sub-section (1) of section 46 has been committed by any society or association of persons or trust (whether registered or not), every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the society or association of persons or trust, for the conduct of the business or affairs or activities of the society or association of persons or trust as well as such society or association of persons or trust shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a society or association of persons or trust (whether registered or not) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of such society or association of persons or trust, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER XV

MISCELLANEOUS

48. Reports of Lokpal.—It shall be the duty of the Lokpal to present annually to the President a report on the work done by the Lokpal and on receipt of such report the President shall cause a copy thereof together with a memorandum explaining, in respect of the cases, if any, where the advice of the Lokpal was not accepted, the reason for such non-acceptance to be laid before each House of Parliament.

49. Lokpal to function as appellate authority for appeals arising out of any other law for the time being in force.—The Lokpal shall function as the final appellate authority in respect of appeals arising out of any other law for the time being in force providing for delivery of public services and redressal of public grievances by any public authority in cases where the decision contains findings of corruption under the Prevention of Corruption Act, 1988 (49 of 1988).

50. Protection of action taken in good faith by any public servant.—No suit, prosecution or other legal proceedings under this Act shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers.

51. Protection of action taken in good faith by others.—No suit, prosecution or other legal proceedings shall lie against the Lokpal or against any officer, employee, agency or any person, in respect of anything which is done in good faith or intended to be done under this Act or the rules or the regulations made thereunder.

52. Members, officers and employees of Lokpal to be public servants.—The Chairperson, Members, officers and other employees of the Lokpal shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

53. Limitation to apply in certain cases.—The Lokpal shall not inquire or investigate into any complaint, if the complaint is made after the expiry of a period of seven years from the date on which the offence mentioned in such complaint is alleged to have been committed.

54. Bar of Jurisdiction.—No civil court shall have jurisdiction in respect of any matter which the Lokpal is empowered by or under this Act to determine.

55. Legal assistance.—The Lokpal shall provide to every person against whom a complaint has been made, before it, under this Act, legal assistance to defend his case before the Lokpal, if such assistance is requested for.

56. Act to have overriding effect.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

57. Provisions of this Act to be in addition of other laws.—The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

58. Amendment of certain enactments.—The enactments specified in the Schedule shall be amended in the manner specified therein.

59. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) the form of complaint referred to in clause (e) of sub-section (1) of section 2 ;
- (b) the term of the Search Committee, the fee and allowances payable to its members and the manner of selection of panel of names under sub-section (5) of section 4 ;
- (c) the post or posts in respect of which the appointment shall be made after consultation with the Union Public Service Commission under the proviso to subsection (3) of section 10 ;
- (d) other matters for which the Lokpal shall have the powers of a civil court under clause (vi) of sub-section (1) of section 27 ;
- (e) the manner of sending the order of attachment along with the material to the Special Court under sub-section (2) of section 29 ;
- (f) the manner of transmitting the letter of request under sub-section (2) of section 36 ;
- (g) the form and the time for preparing in each financial year the budget for the next financial year, showing the estimated receipts and expenditure of the Lokpal under section 40 ;
- (h) the form for maintaining the accounts and other relevant records and the form of annual statement of accounts under sub-section (1) of section 42 ;

- (i) the form and manner and the time for preparing the returns and statements along with particulars under section 43 ;
- (j) the form and the time for preparing an annual return giving a summary of its activities during the previous year under sub-section (5) of section 44 ;
- (k) the form of annual return to be filed by a public servant under sub-section (5) of section 44 ;
- (l) the minimum value for which the competent authority may condone or exempt a public servant from furnishing information in respect of assets under the proviso to section 45 ;
- (m) any other matter which is to be or may be prescribed.

60. Power of Lokpal to make regulations.—(1) Subject to the provisions of this Act and the rules made thereunder, the Lokpal may, by notification in the Official Gazette, make regulations to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely :—

- (a) the conditions of service of the secretary and other officers and staff of the Lokpal and the matters which in so far as they relate to salaries, allowances, leave or pensions, require the approval of the President under sub-section (4) of section 10 ;
- (b) the place of sittings of benches of the Lokpal under clause (f) of sub-section (1) of section 16 ;
- (c) the manner for displaying on the website of the Lokpal, the status of all complaints pending or disposed of along with records and evidence with reference thereto under sub-section (10) of section 20 ;
- (d) the manner and procedure of conducting preliminary inquiry or investigation under sub-section (11) of section 20 ;
- (e) any other matter which is required to be, or may be, specified under this Act.

61. Laying of rules and regulations.—Every rule and regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

62. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary for removing the difficulty :

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

PART III

ESTABLISHMENT OF THE LOKAYUKTA

63. Establishment of Lokayukta.—Every State shall establish a body to be known as the Lokayukta for the State, if not so established, constituted or appointed, by a law made by the State Legislature, to deal with complaints relating to corruption against certain public functionaries, within a period of one year from the date of commencement of this Act.

THE SCHEDULE

[See section 58]

AMENDMENT TO CERTAIN ENACTMENTS

PART I

AMENDMENT TO THE COMMISSIONS OF INQUIRY ACT, 1952

(60 of 1952)

Amendment of section 3.—In section 3, in sub-section (1), for the words “The appropriate Government may”, the words and figures “Save as otherwise provided in the Lokpal and Lokayuktas Act, 2013, the appropriate Government may” shall be substituted.

PART II

AMENDMENTS TO THE DELHI SPECIAL POLICE ESTABLISHMENT ACT, 1946

(25 of 1946)

1. *Amendment of section 4A.*—In section 4A,—

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Central Government shall appoint the Director on the recommendation of the Committee consisting of—

(a) the Prime Minister — Chairperson ;

(b) the Leader of Opposition in the House of the People—Member ;

(c) the Chief Justice of India or Judge of the Supreme Court nominated by him—Member.” ;

(ii) sub-section (2) shall be omitted.

2. *Insertion of new section 4BA.*—After section 4B, the following section shall be inserted, namely :—

“4BA. *Director of Prosecution.*—(1) There shall be a Directorate of Prosecution headed by a Director who shall be an officer not below the rank of Joint Secretary to the Government of India, for conducting prosecution of cases under this Act.

(2) The Director of Prosecution shall function under the overall supervision and control of the Director.

(3) The Central Government shall appoint the Director of Prosecution on the recommendation of the Central Vigilance Commission.

(4) The Director of Prosecution shall notwithstanding anything to the contrary contained in the rules relating to his conditions of service, continue to hold office for a period of not less than two years from the date on which he assumes office.”.

3. *Amendment of section 4C.*—In section 4C, for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Central Government shall appoint officers to the posts of the level of Superintendent of Police and above except Director, and also recommend the extension or curtailment of the tenure of such officers in the Delhi Special Police Establishment, on the recommendation of a committee consisting of :—

(a) the Central Vigilance Commissioner — Chairperson ;

(b) Vigilance Commissioners — Members ;

(c) Secretary to the Government of India in charge of the Ministry of Home—Member ;

(d) Secretary to the Government of India in charge of the Department of Personnel—Member :

Provided that the Committee shall consult the Director before submitting its recommendation to the Central Government.”.

PART III

AMENDMENTS TO THE PREVENTION OF CORRUPTION ACT, 1988

(49 of 1988)

1. *Amendment of sections 7, 8, 9 and 12.*—In sections 7, 8, 9 and section 12,—
 - (a) for the words “six months”, the words “three years” shall respectively be substituted ;
 - (b) for the words “five years”, the words “seven years” shall respectively be substituted.
2. *Amendment of section 13.*—In section 13, in sub-section (2),—
 - (a) for the words “one year”, the words “four years” shall be substituted ;
 - (b) for the words “seven years”, the words “ten years” shall be substituted.
3. *Amendment of section 14.*—In section 14,—
 - (a) for the words “two years”, the words “five years” shall be substituted ;
 - (b) for the words “seven years”, the words “ten years” shall be substituted.
4. *Amendment of section 15.*—In section 15, for the words “which may extend to three years”, the words “which shall not be less than two years but which may extend to five years” shall be substituted.
5. *Amendment of section 19.*—In section 19, after the words “except with the previous sanction”, the words “save as otherwise provided in the Lokpal and Lokayuktas Act, 2013” shall be inserted.

PART IV

AMENDMENT TO THE CODE OF CRIMINAL PROCEDURE, 1973

(2 of 1974)

Amendment of section 197.—In section 197, after the words “except with the previous sanction”, the words “save as otherwise provided in the Lokpal and Lokayuktas Act, 2013” shall be inserted.

PART V

AMENDMENTS TO THE CENTRAL VIGILANCE COMMISSION ACT, 2003

(45 of 2003)

1. *Amendment of section 2.*—In section 2, after clause (d), the following clause shall be inserted, namely :—

“(da) “Lokpal” means the Lokpal established under sub-section (1) of section 3 of the Lokpal and Lokayuktas Act, 2013 ;”.

2. *Amendment of section 8.*—In section 8, in sub-section (2), after clause (b), the following clause shall be inserted, namely :—

“(c) on a reference made by the Lokpal under proviso to sub-section (1) of section 20 of the Lokpal and Lokayuktas Act, 2013, the persons referred to in clause (d) of sub-section (1) shall also include—

- (i) members of Group B, Group C and Group D services of the Central Government ;
- (ii) such level of officials or staff of the corporations established by or under any Central Act, Government companies, societies and other local authorities, owned or controlled by the Central Government, as that Government may, by notification in the *Official Gazette*, specify in this behalf :

Provided that till such time a notification is issued under this clause, all officials or staff of the said corporations, companies, societies and local authorities shall be deemed to be the persons referred in clause (d) of sub-section (1).”.

3. Insertion of new sections 8A and 8B.—After section 8, the following sections shall be inserted, namely :—

“8A. *Action on preliminary inquiry in relation to public servants.*—(1) Where, after the conclusion of the preliminary inquiry relating to corruption of public servants belonging to Group C and Group D officials of the Central Government, the findings of the Commission disclose, after giving an opportunity of being heard to the public servant, a *prima facie* violation of conduct rules relating to corruption under the Prevention of Corruption Act, 1988 (49 of 1988) by such public servant, the Commission shall proceed with one or more of the following actions, namely :—

(a) cause an investigation by any agency or the Delhi Special Police Establishment, as the case may be ;

(b) initiation of the disciplinary proceedings or any other appropriate action against the concerned public servant by the competent authority ;

(c) closure of the proceedings against the public servant and to proceed against the complainant under section 46 of the Lokpal and Lokayuktas Act, 2013.

(2) Every preliminary inquiry referred to in sub-section (1) shall ordinarily be completed within a period of ninety days and for reasons to be recorded in writing, within a further period of ninety days from the date of receipt of the complaint.

8B. *Action on investigation in relation to public servants.*—(1) In case the Commission decides to proceed to investigate into the complaint under clause (a) of sub-section (1) of section 8A, it shall direct any agency (including the Delhi Special Police Establishment) to carry out the investigation as expeditiously as possible and complete the investigation within a period of six months from the date of its order and submit the investigation report containing its findings to the Commission :

Provided that the Commission may extend the said period by a further period of six months for the reasons to be recorded in writing.

(2) Notwithstanding anything contained in section 173 of the Code of Criminal Procedure, 1973 (2 of 1974), any agency (including the Delhi Special Police Establishment) shall, in respect of cases referred to it by the Commission, submit the investigation report to the Commission.

(3) The Commission shall consider every report received by it under sub-section (2) from any agency (including the Delhi Special Police Establishment) and may decide as to—

(a) file charge-sheet or closure report before the Special Court against the public servant ;

(b) initiate the departmental proceedings or any other appropriate action against the concerned public servant by the competent authority.”.

4. Insertion of new section 11A.—After section 11, the following section shall be inserted, namely :—

“11A. *Director of Inquiry for making preliminary inquiry.*—(1) There shall be a Director of Inquiry, not below the rank of Joint Secretary to the Government of India, who shall be appointed by the Central Government for conducting preliminary inquiries referred to the Commission by the Lokpal.

(2) The Central Government shall provide the Director of Inquiry such officers and employees as may be required for the discharge of his functions under this Act.”.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 1st March 2014/Phalguna 10, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 1st March 2014, and is hereby published for general information :—

THE ANDHRA PRADESH REORGANISATION ACT, 2014

(No. 6 of 2014)

An Act to provide for the reorganisation of the existing State of Andhra Pradesh and for matters connected therewith.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows :—

PART I

PRELIMINARY

1. *Short title.*—This Act may be called the Andhra Pradesh Reorganisation Act, 2014.
2. *Definitions.*—In this Act, unless the context otherwise requires,—
 - (a) “appointed day” means the day which the Central Government may, by notification in the *Official Gazette*, appoint ;
 - (b) “article” means an article of the Constitution ;
 - (c) “assembly constituency”, “council constituency” and “parliamentary constituency” have the same meanings as in the Representation of the People Act, 1950 (43 of 1950) ;
 - (d) “Election Commission” means the Election Commission appointed by the President under article 324 ;
 - (e) “existing State of Andhra Pradesh” means the State of Andhra Pradesh as existing immediately before the appointed day ;
 - (f) “law” includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having, immediately before the appointed day, the force of law in the whole or in any part of the existing State of Andhra Pradesh ;
 - (g) “notified order” means an order published in the *Official Gazette* ;
 - (h) “population ratio”, in relation to the States of Andhra Pradesh and Telangana, means the ratio of 58.32 : 41.68 as per 2011 Census ;
 - (i) “sitting member”, in relation to either House of Parliament or of the Legislature of the existing State of Andhra Pradesh, means a person who immediately before the appointed day, is a member of that House ;
 - (j) “successor State”, in relation to the existing State of Andhra Pradesh, means the State of Andhra Pradesh or the State of Telangana, as the case may be ;
 - (k) “transferred territory” means the territory which on the appointed day is transferred from the existing State of Andhra Pradesh to the State of Telangana ;
 - (l) “treasury” includes a sub-treasury ; and
 - (m) any reference to a district, mandal, tehsil, taluk or other territorial division of the existing State of Andhra Pradesh shall be construed as a reference to the area comprised within that territorial division on the appointed day.

PART II

REORGANISATION OF THE STATE OF ANDHRA PRADESH

3. Formation of Telangana State.—On and from the appointed day, there shall be formed a new State to be known as the State of Telangana comprising the following territories of the existing State of Andhra Pradesh, namely :—

Adilabad, Karimnagar, Medak, Nizamabad, Warangal, Rangareddi, Nalgonda, Mahbubnagar, Khammam (but excluding the revenue villages in the Mandals specified in G.O.Ms. No. 111 Irrigation & CAD (LA IV R & R-I) Department, dated the 27th June 2005 and the revenue villages of Bhurgampadu, Seetharamanagaram and Kondreka in Bhurgampadu Mandal) and Hyderabad districts,

and thereupon the said territories shall cease to form part of the existing State of Andhra Pradesh.

4. State of Andhra Pradesh and territorial divisions thereof.—On and from the appointed day, the State of Andhra Pradesh shall comprise the territories of the existing State of Andhra Pradesh other than those specified in section 3.

5. Hyderabad to be common capital for States of Telangana and Andhra Pradesh.—(1) On and from the appointed day, Hyderabad in the existing State of Andhra Pradesh, shall be the common capital of the State of Telangana and the State of Andhra Pradesh for such period not exceeding ten years.

(2) After expiry of the period referred to in sub-section (1), Hyderabad shall be the capital of the State of Telangana and there shall be a new capital for the State of Andhra Pradesh.

Explanation.— In this Part, the common capital includes the existing area notified as the Greater Hyderabad Municipal Corporation under the Hyderabad Municipal Corporation Act, 1955 (Hyderabad Act No. 2 of 1956).

6. Expert Committee for setting up of a capital for Andhra Pradesh.—The Central Government shall constitute an expert committee to study various alternatives regarding the new capital for the successor State of Andhra Pradesh and make appropriate recommendations in a period not exceeding six months from the date of enactment of the Andhra Pradesh Reorganisation Act, 2014.

7. Governor of existing State of Andhra Pradesh to be common Governor.—On and from the appointed day, the Governor of the existing State of Andhra Pradesh shall be the Governor for both the successor States of Andhra Pradesh and Telangana for such period as may be determined by the President.

8. Responsibility of Governor to protect residents of common capital of Hyderabad.—(1) On and from the appointed day, for the purposes of administration of the common capital area, the Governor shall have special responsibility for the security of life, liberty and property of all those who reside in such area.

(2) In particular, the responsibility of the Governor shall extend to matters such as law and order, internal security and security of vital installations, and management and allocation of Government buildings in the common capital area.

(3) In discharge of the functions, the Governor shall, after consulting the Council of Ministers of the State of Telangana, exercise his individual judgment as to the action to be taken :

Provided that if any question arises whether any matter is or is not a matter as respects which the Governor is under this sub-section required to act in the exercise of his individual judgment, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in the exercise of his individual judgment.

(4) The Governor shall be assisted by two advisors to be appointed by the Central Government.

9. Assistance of police forces from Central Government to successor States, etc.—(1) The Central Government shall assist the successor States of Andhra Pradesh and Telangana to raise additional police forces.

(2) The Central Government shall, for a period of three years, on and from the appointed day, maintain and administer the Greyhound Training Centre in Hyderabad which shall function as a common training centre for the successor States and, at the expiry of the said period, the existing Greyhound Training Centre in Hyderabad shall become the training centre of the State of Telangana.

(3) The Central Government shall assist the successor State of Andhra Pradesh to set up a similar state-of-the-art training centre at such place as the State Government of Andhra Pradesh may by order notify.

(4) The Central Government shall provide financial assistance to the successor States in setting up new operational hubs for Greyhounds at such locations as the successor States may by order notify.

(5) The Greyhound and OCTOPUS forces of the existing State of Andhra Pradesh shall be distributed between the successor States after seeking options from the personnel and, each of these forces, on or after the appointed day shall function under the respective Director General of Police of the successor States.

10. Amendment of First Schedule to Constitution.—On and from the appointed day, in the First Schedule to the Constitution, under the heading “I. THE STATES”,—

(a) in the paragraph relating to the territories of the State of Andhra Pradesh, after the words, brackets and figures “Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (56 of 1959)”, the following shall be inserted, namely :—

“and the territories specified in section 3 of the Andhra Pradesh Reorganisation Act, 2014”;

(b) after entry 28, the following entry shall be inserted, namely :—

“29. Telangana : The territories specified in section 3 of the Andhra Pradesh Reorganisation Act, 2014.”.

11. Saving powers of State Government.—Nothing in the foregoing provisions of this Part shall be deemed to affect the power of the Government of Andhra Pradesh or the Government of Telangana to alter, after the appointed day, the name, area or boundaries of any district or other territorial division in the State.

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

12. Amendment of Fourth Schedule to Constitution.—On and from the appointed day, in the Fourth Schedule to the Constitution, in the Table,—

(a) in entry 1, for the figures “18”, the figures “11” shall be substituted ;

(b) entries 2 to 30 shall be renumbered as entries 3 to 31, respectively ;

(c) after entry 1, the following entry shall be inserted, namely :—

“2. Telangana 7”.

13. Allocation of sitting members.—(1) On and from the appointed day, eighteen sitting members of the Council of States representing the existing State of Andhra Pradesh shall be deemed to have been elected to fill the seats allotted to the States of Andhra Pradesh and Telangana, as specified in the First Schedule to this Act.

(2) The term of office of such sitting members shall remain unaltered.

The House of the People

14. Representation in House of the People.—On and from the appointed day, there shall be allocated 25 seats to the successor State of Andhra Pradesh, and 17 seats to the successor State of Telangana, in the House of the People, and the First Schedule to the Representation of the People Act, 1950 (43 of 1950) shall be deemed to be amended accordingly.

15. Delimitation of Parliamentary and Assembly Constituencies.—(1) On and from the appointed day, the Delimitation of Parliamentary and Assembly Constituencies Order, 2008, shall stand amended as directed in the Second Schedule to this Act.

(2) The Election Commission may conduct the elections to the House of the People and the Legislative Assemblies of the successor States of Andhra Pradesh and Telangana as per the allocation of seats specified in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 as amended by this Act.

16. Provision as to sitting members.—(1) Every sitting member of the House of the People representing a constituency which, on the appointed day by virtue of the provisions of section 14, stands allotted, with or without alteration of boundaries, to the successor States of Andhra Pradesh or Telangana, shall be deemed to have been elected to the House of the People by that constituency as so allotted.

(2) The term of office of such sitting members shall remain unaltered.

The Legislative Assembly

17. Provisions as to Legislative Assemblies.—(1) Subject to the provisions of sub-section (2), the number of seats in the Legislative Assemblies of the States of Andhra Pradesh and Telangana, on and from the appointed day, shall be 175 and 119, respectively.

(2) In the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), under the heading “I. STATES” :—

(a) for entry 1, the following entry shall be substituted, namely,—

(1)	(2)	(3)	(4)	(5)	(6)	7
“1. Andhra Pradesh	294	39	15	175	29	7” ;

(b) entries 25 to 28 shall be renumbered as entries 26 to 29, respectively ;

(c) after entry 24, the following entry shall be inserted, namely :—

1	2	3	4	5	6	7
“25. Telangana	—	—	—	119	19	12”.

18. Representation of Anglo Indian Community.—Notwithstanding anything in sub-section (1) the Governor of the State may nominate one member each to the Legislative Assemblies of the successor States to give representation to the Anglo-Indian Community in accordance with article 333 of the Constitution.

19. Allocation of sitting members.—(1) Every sitting member of the Legislative Assembly of the existing State of Andhra Pradesh elected to fill a seat in that Assembly from a constituency which on the appointed day by virtue of the provisions of section 17 stands allotted, with or without alteration of boundaries, to the State of Telangana shall, on and from that day, cease to be a member of the Legislative Assembly of Andhra Pradesh and shall be deemed to have been elected to fill a seat in the Legislative Assembly of Telangana from that constituency as so allotted.

(2) All other sitting members of the Legislative Assembly of the existing State of Andhra Pradesh shall continue to be members of the Legislative Assembly of that State and any such sitting member representing a constituency, the extent or the name of which are altered by virtue of the provisions of section 17, shall be deemed to have been elected to the Legislative Assembly of Andhra Pradesh by that constituency as so altered.

(3) Notwithstanding anything contained in any other law for the time being in force, the Legislative Assemblies of Andhra Pradesh and Telangana shall be deemed to be duly constituted on the appointed day.

20. Duration of Legislative Assemblies.—The period of five years referred to in clause (1) of article 172 shall, in the case of the Legislative Assembly of the State of Andhra Pradesh and of the Legislative Assembly of the State of Telangana, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of the existing State of Andhra Pradesh.

21. Speaker Deputy Speaker and rules of procedure.—(1) The person who immediately before the appointed day is the Speaker of the Legislative Assembly of the existing State of Andhra Pradesh shall continue to be the Speaker of that Assembly on and from that day and the members of that Assembly shall choose from amongst the members of the Assembly, a member to be the Deputy Speaker of that Assembly.

(2) As soon as may be after the appointed day, the Deputy Speaker of the Legislative Assembly of the existing State of Andhra Pradesh shall become the Deputy Speaker of the Legislative Assembly of the successor State of Telangana and until the Speaker is chosen by that Assembly, the duties of the office of the Speaker shall be performed by the Deputy Speaker so appointed.

(3) The rules of procedure and conduct of business of the Legislative Assembly of Andhra Pradesh as in force immediately before the appointed day shall, until rules are made under clause (1) of article 208, be the rules of procedure and conduct of business of the Legislative Assembly of Telangana, subject to such modifications and adaptations as may be made therein by the speaker thereof.

The Legislative Councils

22. Legilsative Council for sucesor States.—(1) There shall be constituted a Legislative Council for each of the successor States consisting of not more than 50 members in the Legislative Council of Andhra Pradesh and 40 members in the Legislative Council of Telangana in accordance with the provisions contained in article 169 of the Constitution.

(2) The existing Legislative Council of the State of Andhra Pradesh shall, on and from the appointed day, be deemed to have been constituted as two Legislative Councils of the successor States and the existing members shall be allotted to the Councils as specified in the Fourth Schedule.

23. Provisions as to Legislative Councils.—(1) On and from the appointed day, there shall be 50 seats in the Legislative Council of Andhra Pradesh and 40 seats in the Legislative Council of Telangana, respectively.

(2) In the Representation of the People Act, 1950,—

(i) in the Third Schedule,—

(a) for the existing entry 1, the following entry shall be substituted, namely :—

1	2	3	4	5	6	7
“1. Andhra Pradesh	50	17	5	5	17	6” ;

(b) after entry 7, the following entry shall be inserted, namely :—

1	2	3	4	5	6	7
“7A. Telangana	40	14	3	3	14	6” ;

(ii) in the Fourth Schedule, after the heading “Tamil Nadu” and the entries relating thereunder, the following heading and the entries shall be inserted, namely :—

“TELANGANA

1. Municipal Corporations.
2. Municipalities.
3. Nagar Panchayats.
4. Cantonment Boards.
5. Zila Praja Parishads.
6. Mandal Praja Parishads.”.

24. Amendment of Delimitation of Council Constituencies Order.—(1) On and from the appointed day, the Delimitation of Council Constituencies (Andhra Pradesh) Order, 2006 shall stand amended as directed in Part I of the Third Schedule.

(2) On and from the appointed day, the Delimitation of Council Constituencies (Telangana) Order, 2014, as specified in Part II of the Third Schedule shall apply to the successor State of Telangana.

(3) The Central Government may, in consultation with the successor States of Andhra Pradesh, or as the case may be, Telangana, by notification in the *Official Gazette* amend the Third Schedule.

25. Chairman, Deputy Chairman and rules of procedure.—(1) The person who immediately before the appointed day is the Chairman of the Legislative Council of the existing State of Andhra Pradesh shall continue to be the Chairman of that Council on and from that day and the members of that Council shall choose from amongst the members of the Council, a member to be the Deputy Chairman of that Council.

(2) As soon as may be after the appointed day, the Deputy Chairman of the Legislative Council of the existing State of Andhra Pradesh shall become the Deputy Chairman of the Legislative Council of the successor State of Telangana and until the Chairman is chosen by that Council, the duties of the office of Chairman shall be performed by the Deputy Chairman so appointed.

(3) The rules of procedure and conduct of business of the Legislative Council of Andhra Pradesh as in force immediately before the appointed day shall, until rules are made under clause (1) of article 208, be the rules of procedure and conduct of business of the Legislative Council of Telangana, subject to such modifications and adaptations as may be made therein by the Chairman thereof.

Delimitation of constituencies

26. Delimitation of constituencies.—(1) Subject to the provisions contained in article 170 of the Constitution and without prejudice to section 15 of this Act, the number of seats in the Legislative Assembly of the successor States of Andhra Pradesh and Telangana shall be increased from 175 and 119 to 225 and 153, respectively, and delimitation of the constituencies may be determined by the Election Commission in the manner hereinafter provided—

(a) the number of seats to be reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assemblies of the States of Andhra Pradesh and Telangana, respectively, having regard to the relevant provisions of the Constitution ;

(b) the assembly constituencies into which each State referred to in clause (a) shall be divided, the extent of each of such constituencies and in which of them seats shall be reserved for the Scheduled Castes or for the Scheduled Tribes ; and

(c) the adjustments in the boundaries and description of the extent of the parliamentary constituencies in each State referred to in clause (a) that may be necessary or expedient.

(2) In determining the matters referred to in clauses (b) and (c) of sub-section (1), the Election Commission shall have regard to the following provisions, namely :—

(a) all the constituencies shall be single-member constituencies ;

(b) all constituencies shall, as far as practicable, be geographically compact areas, and in delimiting them, regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and conveniences to the public ; and

(c) constituencies in which seats are reserved for the Scheduled Castes and the Scheduled Tribes shall, as far as practicable, be located in areas where the proportion of their population to the total population is the largest.

(3) The Election Commission shall, for the purpose of assisting it in the performance of its functions under sub-section (1), associate with itself as associate members, five persons as the Central Government may by order specify, being persons who are the members of the Legislative Assembly of the State or of the House of the People representing the State :

Provided that none of the associate members shall have a right to vote or to sign any decision of the Election Commission.

(4) If, owing to death or resignation, the office of an associate member falls vacant, it shall be filled as far as practicable, in accordance with the provisions of sub-section (3).

(5) The Election Commission shall—

(a) publish its proposals for the delimitation of constituencies together with the dissenting proposals, if any, of any associate member who desires publication thereof in the *Official Gazette* and in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions in relation to the proposals and specifying a date on or after which the proposals will be further considered by it ;

(b) consider all objections and suggestions which may have been received by it before the date so specified ; and

(c) after considering all objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the *Official Gazette*, and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(6) As soon as may be after such publication, every such order relating to assembly constituencies shall be laid before the Legislative Assembly of the concerned State.

27. Power of Election Commission to maintain Delimitation Orders up-to-date.—(1) The Election Commission may, from time to time, by notification in the *Official Gazette*,—

(a) correct any printing mistakes in any order made under section 26 or any error arising therein from inadvertent slip or omission ; and

(b) where the boundaries or name of any territorial division mentioned in any such order or orders is or are altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(2) Every notification under this section relating to an assembly constituency shall be laid, as soon as may be after it is issued, before the concerned Legislative Assembly.

Scheduled Castes and Scheduled Tribes

28. Amendment of Scheduled Castes Order.—On and from the appointed day, the Constitution (Scheduled Castes) Order, 1950 (C.O. 19), shall stand amended as directed in the Fifth Schedule to this Act.

29. Amendment of Scheduled Tribes Order.—On and from the appointed day, the Constitution (Scheduled Tribes) Order, 1950 (C.O. 22), shall stand amended as directed in the Sixth Schedule to this Act.

PART IV

HIGH COURT

30. High Court of judicature at Hyderabad to be common High Court till establishment of High Court of Andhra Pradesh.—(1) On and from the appointed day,—

(a) the High Court of Judicature at Hyderabad shall be the common High Court for the State of Telangana and the State of Andhra Pradesh till a separate High Court for the State of Andhra Pradesh is constituted under article 214 of the Constitution read with section 31 of this Act ;

(b) the Judges of the High Court at Hyderabad for the existing State of Andhra Pradesh holding office immediately before the appointed day shall become on that day the Judges of the common High Court.

(2) The expenditure in respect of salaries and allowances of the Judges of the common High Court shall be allocated amongst the States of Andhra Pradesh and Telangana on the basis of population ratio.

31. High Court of Andhra Pradesh.—(1) Subject to the provisions of section 30, there shall be a separate High Court for the State of Andhra Pradesh (hereinafter referred to as the High Court of Andhra Pradesh) and the High Court of Judicature at Hyderabad shall become the High Court for the State of Telangana (hereinafter referred to as the High Court at Hyderabad).

(2) The principal seat of the High Court of Andhra Pradesh shall be at such place as the President may, by notified order, appoint.

(3) Notwithstanding anything contained in sub-section (2), the Judges and division courts of the High Court of Andhra Pradesh may sit at such other place or places in the State of Andhra Pradesh other than its principal seat as the Chief Justice may, with the approval of the Governor of Andhra Pradesh, appoint.

32. Judges of Andhra Pradesh High Court.—(1) Such of the Judges of the High Court at Hyderabad holding office immediately before the date of establishment of the High Court of Andhra Pradesh as may be determined by the President, shall, from that date cease to be Judges of the High Court at Hyderabad and become, Judges of the High Court of Andhra Pradesh.

(2) The persons who by virtue of sub-section (1) become Judges of the High Court of Andhra Pradesh shall, except in the case where any such person is appointed to be the Chief Justice of that High Court, rank in that Court according to the priority of their respective appointments as Judges of the High Court at Hyderabad.

33. Jurisdiction of Andhra Pradesh High Court.—The High Court of Andhra Pradesh shall have, in respect of any part of the territories included in the State of Andhra Pradesh, all such jurisdiction, powers and authority as, under the law in force immediately before the date referred to in sub-section (1) of section 30, are exercisable in respect of that part of the said territories by the High Court at Hyderabad.

34. Special provision relating to Bar Council and advocates.—(1) On and from the date referred to in sub-section (1) of section 30, in the Advocates Act, 1961 (25 of 1961), in section 3, in sub-section (1), in clause (a), for the words “Rajasthan, Uttar Pradesh”, the words “Rajasthan, Telangana, Uttar Pradesh” shall be substituted.

(2) Any person who immediately before the date referred to in sub-section (1) of section 30 is an advocate on the roll of the Bar Council of the existing State of Andhra Pradesh and practicing as an advocate in the High Court at Hyderabad, may give his option in writing, within one year from that date to the Bar Council of such existing State, to transfer his name on the roll of the Bar Council of Telangana and notwithstanding anything contained in the Advocates Act, 1961 (25 of 1961) and the rules made thereunder, on such option so given his name shall be deemed to have been transferred on the roll of the Bar Council of Telangana with effect from the date of the option so given for the purposes of the said Act, and the rules made thereunder.

(3) The persons other than the advocates who are entitled immediately before the date referred to in sub-section (1) of section 30, to practice in the High Court at Hyderabad or any subordinate court thereof shall, on and after that date, be recognised as such persons entitled also to practice in the High Court of Andhra Pradesh or any subordinate court thereof, as the case may be.

(4) The right of audience in the High Court of Andhra Pradesh shall be regulated in accordance with the like principles as immediately before the date referred to in sub-section (1) of section 30, are in force with respect to the right of audience in the High Court at Hyderabad.

35. Practice and procedure in Andhra Pradesh High Court.—Subject to the provisions of this Part, the law in force immediately before the date referred to in sub-section (1) of section 30 with respect to practice and procedure in the High Court at Hyderabad shall, with the necessary modifications, apply in relation to the High Court of Andhra Pradesh, and accordingly, the High Court of Andhra Pradesh shall have all such powers to make rules and orders with respect to practice and procedure as are immediately before that date exercisable by the High Court at Hyderabad :

Provided that any rules or orders which are in force immediately before the date referred to in sub-section (1) of section 30 with respect to practice and procedure in the High Court at

Hyderabad shall, until varied or revoked by rules or orders made by the High Court of Andhra Pradesh, apply with the necessary modifications in relation to practice and procedure in the High Court of Andhra Pradesh as if made by that Court.

36. Custody of seal of Andhra Pradesh High Court.—The law in force immediately before the date referred to in sub-section (1) of section 30 with respect to the custody of the seal of the High Court at Hyderabad shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court of Andhra Pradesh.

37. Form of writs and other processes.—The law in force immediately before the date referred to in sub-section (1) of section 30 with respect to the form of writs and other processes used, issued or awarded by the High Court at Hyderabad shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court of Andhra Pradesh.

38. Power of Judges.—The law in force immediately before the date referred to in sub-section (1) of section 30 relating to the powers of the Chief Justice, single Judges and division courts of the High Court at Hyderabad and with respect to all matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court of Andhra Pradesh.

39. Procedure as to appeals to Supreme Court.—The law in force immediately before the date referred to in sub-section (1) of section 30 relating to appeals to the Supreme Court from the High Court at Hyderabad and the Judges and division courts thereof shall, with the necessary modifications, apply in relation to the High Court of Andhra Pradesh.

40. Transfer of proceedings from Hyderabad High Court to Andhra Pradesh High Court.—(1) Except as hereinafter provided, the High Court at Hyderabad shall, as from the date referred to in sub-section (1) of section 30, have no jurisdiction in respect of the State of Andhra Pradesh.

(2) Such proceedings pending in the High Court at Hyderabad immediately before the date referred to in sub-section (1) of section 30 as are certified, whether before or after that day, by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Andhra Pradesh shall, as soon as may be after such certification, be transferred to the High Court of Andhra Pradesh.

(3) Notwithstanding anything contained in sub-sections (1) and (2) of this section or in section 33, but save as hereinafter provided, the High Court at Hyderabad shall have, and the High Court of Andhra Pradesh shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court at Hyderabad before the date referred to in sub-section (1) of section 30 :

Provided that if after any such proceedings have been entertained by the High Court at Hyderabad, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Andhra Pradesh, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court at Hyderabad—

(a) before the date referred to in sub-section (1) of section 30, in any proceedings transferred to the High Court of Andhra Pradesh by virtue of sub-section (2), or

(b) in any proceedings with respect to which the High Court at Hyderabad retains jurisdiction by virtue of sub-section (3),

shall for all purposes have effect, not only as an order of the High Court at Hyderabad, but also as an order made by the High Court of Andhra Pradesh.

41. Right to appear or to act in proceedings transferred to Andhra Pradesh High Court.—Any person who, immediately before the date referred to in sub-section (1) of section 30, is an advocate entitled to practise or any other persons entitled to practise in the High Court at Hyderabad and was authorised to appear in any proceedings transferred from that High Court to the High Court of Andhra Pradesh under section 40, shall have the right to appear in the High Court of Andhra Pradesh in relation to those proceedings.

42. Interpretation.—For the purposes of section 40,—

(a) proceedings shall be deemed to be pending in a court until that court has disposed of all issues between the parties, including any issues with respect to the taxation of the costs of the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for review, petitions for revision and petitions for writs ; and

(b) references to a High Court shall be construed as including references to a Judge or division court thereof, and references to an order made by a court or a Judge shall be construed as including references to a sentence, judgment or decree passed or made by that court or Judge.

43. Savings.—Nothing in this Part shall affect the application to the High Court of Andhra Pradesh of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the date referred to in sub-section (1) of section 30 with respect to that High Court by any Legislature or other authority having power to make such provision.

PART V

AUTHORISATION OF EXPENDITURE AND DISTRIBUTION OF REVENUES

44. Authorisation of expenditure of Telangana State.—The Governor of existing State of Andhra Pradesh may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Telangana as he deems necessary for any period not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislative Assembly of the State of Telangana :

Provided that the Governor of Telangana may, after the appointed day, authorise such further expenditure as he deems necessary from the Consolidated Fund of the State of Telangana for any period not extending beyond the said period of six months.

45. Reports relating to accounts of Andhra Pradesh State.—(1) The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of the existing State of Andhra Pradesh in respect of any period prior to the appointed day shall be submitted to the Governor of each of the successor States of Andhra Pradesh and Telangana who shall cause them to be laid before the Legislature of that State.

(2) The President may by order—

(a) declare any expenditure incurred out of the Consolidated Fund of Andhra Pradesh on any service in respect of any period prior to the appointed day during the financial year or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (1) to have been duly authorised ; and

(b) provide for any action to be taken on any matter arising out of the said reports.

46. Distribution of revenue.—(1) The award made by the Thirteenth Finance Commission to the existing State of Andhra Pradesh shall be apportioned between the successor States by the Central Government on the basis of population ratio and other parameters :

Provided that on the appointed day, the President shall make a reference to the Fourteenth Finance Commission to take into account the resources available to the successor States and make separate awards for each of the successor States.

(2) Notwithstanding anything in sub-section (1), the Central Government may, having regard to the resources available to the successor State of Andhra Pradesh, make appropriate grants and also ensure that adequate benefits and incentives in the form of special development package are given to the backward areas of that State.

(3) The Central Government shall, while considering the special development package for the successor State of Andhra Pradesh, provide adequate incentives, in particular for Rayalaseema and north coastal regions of that State.

PART VI

APPORTIONMENT OF ASSETS AND LIABILITIES

47. Application of Part.—(1) The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities of the existing State of Andhra Pradesh immediately before the appointed day.

(2) The successor States shall be entitled to receive benefits arising out of the decisions taken by the existing State of Andhra Pradesh and the successor States shall be liable to bear the financial liabilities arising out of the decisions taken by the existing State of Andhra Pradesh.

(3) The apportionment of assets and liabilities shall be subject to such financial adjustment as may be necessary to secure just, reasonable and equitable apportionment of the assets and liabilities amongst the successor States.

(4) Any dispute regarding the amount of financial assets and liabilities shall be settled through mutual agreement, failing which by order by the Central Government on the advice of the Comptroller and Auditor-General of India.

48. Land and goods.—(1) Subject to the other provisions of this Part, all land and all stores, articles and other goods belonging to the existing State of Andhra Pradesh shall,—

- (a) if within the transferred territory, pass to the State of Telangana ; or
- (b) in any other case, remain the property of the State of Andhra Pradesh :

Provided that in case of properties situated outside the existing State of Andhra Pradesh, such properties shall be apportioned between the successor States on the basis of population ratio :

Provided further that where the Central Government is of opinion that any goods or class of goods should be distributed among the States of Andhra Pradesh and Telangana, otherwise than according to the situation of the goods, the Central Government may issue such directions as it thinks fit for a just and equitable distribution of the goods and the goods shall pass to the successor States accordingly :

Provided also that in case of any dispute relating to the distribution of any goods or class of goods under this sub-section, the Central Government shall endeavour to settle such dispute through mutual agreement arrived at between the Governments of the successor States for that purpose, failing which the Central Government may, on request by any of the Governments of the successor States, after consulting the Governments of the successor States, issue such direction as it may deem fit for the distribution of such goods or class of goods, as the case may be, under this sub-section.

(2) Stores held for specific purposes, such as use or utilisation in particular institutions, workshops or undertakings or on particular works under construction, shall pass to the successor States in whose territories such institutions, workshops, undertakings or works are located.

(3) Stores relating to the Secretariat and offices of Heads of Departments having jurisdiction over the whole of the existing State of Andhra Pradesh shall be divided between the successor States on the basis of population ratio.

(4) In this section, the expression “land” includes immovable property of every kind and any rights in or over such property, and the expression “goods” does not include coins, bank notes and currency notes.

49. Treasury and bank balances.—The total of the cash balances in all treasuries of the existing State of Andhra Pradesh and the credit balances of the existing State of Andhra Pradesh with the Reserve Bank of India, the State Bank of India or any other bank immediately before the appointed day shall be divided between the States of Andhra Pradesh and Telangana on the basis of population ratio :

Provided that for the purposes of such division, there shall be no transfer of cash balances from any treasury to any other treasury and the apportionment shall be effected by adjusting the credit balances of the two States in the books of the Reserve Bank of India on the appointed day :

Provided further that if the State of Telangana has no account on the appointed day with the Reserve Bank of India, the adjustment shall be made in such manner as the Central Government may, by order, direct.

50. Arrears of taxes.—The right to recover arrears of the tax or duty on property, including arrears of land revenue, shall belong to the successor State in which the property is situated, and the right to recover arrears of any other tax or duty shall belong to the successor State in whose territories the place of assessment of that tax or duty is included on the appointed day.

51. Right to recover loans and advances.—(1) The right of the existing State of Andhra Pradesh to recover any loans or advances made before the appointed day to any local body, society, agriculturist or other person in an area within that State shall belong to the successor State in which that area is included on that day.

(2) The right of the existing State of Andhra Pradesh to recover any loans or advances made before the appointed day to any person or institution outside that State shall belong to the State of Andhra Pradesh :

Provided that any sum recovered in respect of any such loan or advance shall be divided between the States of Andhra Pradesh and Telangana on the basis of population ratio.

52. Investments and credits in certain funds.—(1) The securities held in respect of the investments made from Cash Balances Investment Account or from any Fund in the Public Account of the existing State of Andhra Pradesh as specified in the Seventh Schedule shall be apportioned on the basis of population ratio of the successor States :

Provided that the securities held in investments made from the Calamity Relief Fund of the existing State of Andhra Pradesh shall be divided in the ratio of the area of the territories occupied by the successor States.

(2) The investments of the existing State of Andhra Pradesh immediately before the appointed day in any special fund, the objects of which are confined to a local area, shall belong to the State in which that area is included on the appointed day :

Provided that the investments in such special funds on multiple entities situated in different parts of the existing State, and such parts fall within the territories of the States of Andhra Pradesh and Telangana, shall be apportioned between the successor States on the basis of population ratio.

(3) The investments of the existing State of Andhra Pradesh immediately before the appointed day in any private, commercial or industrial undertaking, the objects of which are confined to a local area, shall belong to the successor State in which such area is included on the appointed day :

Provided that investments in such entities, having multiple units situated in different parts of the existing State, and such parts fall within the territories of the States of Andhra Pradesh and Telangana, shall be apportioned between the successor States on the basis of population ratio.

(4) Where any body corporate constituted under a Central Act, State Act or Provincial Act for the existing State of Andhra Pradesh or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate, the investments in, or loans or advances to, any such body corporate by the existing State of Andhra Pradesh made before the appointed day shall, save as otherwise expressly provided by or under this Act, be divided between the States of Andhra Pradesh and Telangana in the same proportion in which the assets of the body corporate are divided under the provisions of this Part.

53. Assets and liabilities of State undertakings.—(1) The assets and liabilities relating to any commercial or industrial undertaking of the existing State of Andhra Pradesh, where such undertaking or part thereof is exclusively located in, or its operations are confined to, a local area, shall pass to the State in which that area is included on the appointed day, irrespective of the location of its headquarters :

Provided that where the operation of such undertaking becomes inter-State by virtue of the provisions of Part II, the assets and liabilities of—

(a) the operational units of the undertaking shall be apportioned between the two successor States on location basis ; and

(b) the headquarters of such undertaking shall be apportioned between the two successor States on the basis of population ratio.

(2) Upon apportionment of the assets and liabilities, such assets and liabilities shall be transferred in physical form on mutual agreement or by making payment or adjustment through any other mode as may be agreed to by the successor States.

54. Public Debt.—(1) All liabilities on account of Public Debt and Public Account of the existing State of Andhra Pradesh outstanding immediately before the appointed day shall be apportioned on the basis of population ratio of the successor States unless a different mode of apportionment is provided under the provisions of this Act.

(2) The individual items of liabilities to be allocated to the successor States and the amount of contribution required to be made by one successor State to another shall be such as may be ordered by the Central Government on the advice of the Comptroller and Auditor- General of India :

Provided that till such orders are issued, the liabilities on account of Public Debt and Public Account of the existing State of Andhra Pradesh shall continue to be the liabilities of the successor State of Andhra Pradesh.

(3) The liability on account of loan raised from any source and re-lent by the existing State of Andhra Pradesh to such entities as may be specified by the Central Government and whose area of operation is confined to either of the successor States shall devolve on the respective States as specified in sub-section (4).

(4) The public debt of the existing State of Andhra Pradesh attributable to loan taken from any source for the express purpose of re-lending the same to a specific institution and outstanding immediately before the appointed day shall,—

(a) if re-lent to any local body, body corporate or other institution in any local area, be the debt of the State in which the local area is included on the appointed day ; or

(b) if re-lent to any other corporation or institution which becomes an inter- State corporation or institution on the appointed day, be divided between the States of Andhra Pradesh and Telangana in the same proportion in which the assets of such body corporate or institution are divided under the provisions of Part VII.

(5) Where a sinking fund or a depreciation fund is maintained by the existing State of Andhra Pradesh for repayment of any loan raised by it, the securities held in respect of investments made from that fund shall be divided between the successor States of Andhra Pradesh and Telangana in the same proportion in which the total public debt is divided between the two States under this section.

(6) In this section, the expression “Government security” means a security created and issued by a State Government for the purpose of raising a public loan and having any of the forms specified in, or prescribed under, clause (2) of section 2 of the Public Debt Act, 1944 (18 of 1944).

55. Floating Debt.—All liabilities of the existing State of Andhra Pradesh in respect of any floating loan to provide short term finance to any local body, body corporate or other institution, shall be determined on the following basis, namely :—

(a) if, the purposes of the floating loan are, on and from the appointed day, exclusive purposes of either of the successor States, then, of that State ;

(b) in any other case, it shall be divided on the basis of population ratio.

56. Refund of taxes collected in excess.—(1) The liability of the existing State of Andhra Pradesh to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the successor State in whose territories the property is situated, and the liability of the existing State of Andhra Pradesh to refund any other tax or duty collected in excess shall be apportioned between the Successor States of Andhra Pradesh and Telangana on the basis of population ratio and the State discharging the liability shall be entitled to receive from the other State its share of the liability, if any.

(2) The liability of the existing State of Andhra Pradesh to refund any other tax or duty collected in excess on the appointed day shall be the liability of the successor State in whose territories the place of assessment of such tax or duty is included, and the liability of the existing State of Andhra Pradesh to refund any other tax or duty collected in excess shall be apportioned between the Successor States of Andhra Pradesh and Telangana on the basis of population ratio and the State discharging the liability shall be entitled to receive from the other State its share of the liability, if any.

57. Deposits, etc.—(1) The liability of the existing State of Andhra Pradesh in respect of any civil deposit or local fund deposit shall, as from the appointed day, be the liability of the successor State in whose area the deposit has been made.

(2) The liability of the existing State of Andhra Pradesh in respect of any charitable or other endowment shall, as from the appointed day, be the liability of the successor State in whose area the institution entitled to the benefit of the endowment is located or of the successor State to which the objects of the endowment, under the terms thereof, are confined :

Provided that any civil deposits or loan funds or charitable or other endowment fund maintained by the existing State of Andhra Pradesh before the appointed day having jurisdiction over the entire State shall be apportioned between the successor States on the basis of population ratio.

58. Provident Fund.—The liability of the existing State of Andhra Pradesh in respect of the Provident Fund account of a Government servant in service on the appointed day shall, as from that day, be the liability of the successor State to which that Government servant is permanently allotted.

59. Pensions.—The liability of the existing State of Andhra Pradesh in respect of pensions shall pass to, or be apportioned between, the successor States of Andhra Pradesh and Telangana in accordance with the provisions contained in the Eighth Schedule to this Act.

60. Contracts.—(1) Where, before the appointed day, the existing State of Andhra Pradesh has made any contract in the exercise of its executive power for any purposes of the State, that contract shall,—

(a) if the purposes of the contract are, on and from the appointed day, exclusive purposes of either of the successor States of Andhra Pradesh and Telangana, then it shall be deemed to have been made in exercise of the executive power of that State and the liability shall be discharged by that State ; and

(b) in any other case, all rights and liabilities which have accrued or may accrue under any such contract shall be apportioned between the successor States on the basis of population ratio or in any other manner as may be agreed to by the successor States.

(2) For the purposes of this section, there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract—

(a) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract ; and

(b) any liability in respect of expenses incurred in or in connection with any such proceedings.

(3) This section shall have effect subject to the other provisions of this Part relating to the apportionment of liabilities in respect of loans, guarantees and other financial obligations ; and the bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with under those provisions.

61. Liability in respect of actionable wrong.—Where, immediately before the appointed day, the existing State of Andhra Pradesh is subject to any liability in respect of any actionable wrong other than breach of contract, that liability shall,—

(a) if the cause of action arose wholly within the territories which, as from that day, are the territories of either of the successor States of Andhra Pradesh or Telangana, be the liability of that State ; and

(b) in any other case, be apportioned between the successor States on the basis of population ratio or in any other manner as may be agreed to by the successor States.

62. Liability as guarantor.—Where, immediately before the appointed day, the existing State of Andhra Pradesh is liable as guarantor in respect of any liability of a registered co-operative society or other person, that liability shall,—

(a) if the area of operations of such society or persons is confined to the territories which, as from that day, are the territories of either of the States of Andhra Pradesh or Telangana, be a liability of that State ; and

(b) in any other case, be apportioned between the successor States on the basis of population ratio or in any other manner as may be agreed to by the successor States.

63. Items in suspense.—If any item in suspense is ultimately found to affect an asset or liability of the nature referred to in any of the foregoing provisions of this Part, it shall be dealt with in accordance with that provision.

64. Residuary provision.—The benefit or burden of any asset or liability of the existing State of Andhra Pradesh not dealt with in the foregoing provisions of this Part shall pass to the State of Andhra Pradesh in the first instance, subject to such financial adjustment as may be agreed upon between the States of Andhra Pradesh and Telangana or, in default of such agreement, as the Central Government may, by order, direct.

65. Apportionment of assets of liabilities by agreement.—Where the successor States of Andhra Pradesh and Telangana agree that the benefit or burden of any particular asset or liability should be apportioned between them in a manner other than that provided for in the foregoing provisions of this Part, notwithstanding anything contained therein, the benefit or burden of that asset or liability shall be apportioned in the manner agreed upon.

66. Power of Central Government to order allocation or adjustment in certain cases.—Where, by virtue of any of the provisions of this Part, either of the successor States of Andhra Pradesh and Telangana becomes entitled to any property or obtains any benefits or becomes subject to any liability, and the Central Government is of opinion, on a reference made within a period of three years from the appointed day by either of the States, that it is just and equitable that such property or those benefits should be transferred to, or shared with, the other successor State, or that a contribution towards that liability should be made by the other successor State, the said property or benefits shall be allocated in such manner between the two States, or the other State shall make to the State subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the two State Governments, by order, determine.

67. Certain expenditure to be charged on Consolidated Fund.—All sums payable by the State of Andhra Pradesh or by the State of Telangana, as the case may be, to the other State, or by the Central Government to the successor States, by virtue of the provisions of this Act, shall be charged on the Consolidated Fund of the State by which such sums are payable or, as the case may be, the Consolidated Fund of India.

PART VII

PROVISIONS AS TO CERTAIN CORPORATIONS

68. Provisions for various companies and corporations.—(1) The companies and corporations specified in the Ninth Schedule constituted for the existing State of Andhra Pradesh shall, on and from the appointed day, continue to function in those areas in respect of which they were functioning immediately before that day, subject to the provisions of this section.

(2) The assets, rights and liabilities of the companies and corporations referred to in sub-section (1) shall be apportioned between the successor States in the manner provided in section 53.

69. Continuance of arrangements in regard to generation and supply of electric power and supply of water.—If it appears to the Central Government that the arrangement in regard to the

generation or supply of electric power or the supply of water for any area or in regard to the execution of any project for such generation or supply has been or is likely to be modified to the disadvantage of that area by reason of the fact that it is, by virtue of the provisions of Part II, outside the State in which the power stations and other installations for the generation and supply of such power, or the catchment area, reservoirs and other works for the supply of water, as the case may be, are located, the Central Government may, after consultation with the Governments of the successor States wherever necessary, give such directions as it deems proper to the State Government or other authority concerned for the maintenance, so far as practicable, of the previous arrangement and the State to which such directions are given shall comply with them.

70. Provisions as to Andhra Pradesh State Financial Corporation.—(1) The Andhra Pradesh State Financial Corporation established under the State Financial Corporations Act, 1951 (63 of 1951) shall, on and from the appointed day, continue to function in those areas in respect of which it was functioning immediately before that day, subject to the provisions of this section and to such directions as may, from time to time, be issued by the Central Government.

(2) Any directions issued by the Central Government under sub-section (1) in respect of the Corporation may include a direction that the said Act, in its application to the Corporation, shall have effect subject to such exceptions and modifications as may be specified in the direction.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), the Board of Directors of the Corporation may, with the previous approval of the Central Government and shall, if so required by the Central Government, convene at any time after the appointed day a meeting for the consideration of a scheme for the reconstitution or reorganisation or dissolution, as the case may be, of the Corporation, including proposals regarding the formation of new Corporations, and the transfer thereto of the assets, rights and liabilities of the existing Corporation, and if such a scheme is approved at the general meeting by a resolution passed by a majority of the shareholders present and voting, the scheme shall be submitted to the Central Government for its sanction.

(4) If the scheme is sanctioned by the Central Government either without modifications or with modifications which are approved at a general meeting, the Central Government shall certify the scheme, and upon such certification, the scheme shall, notwithstanding anything to the contrary contained in any law for the time being in force, be binding on the Corporations affected by the scheme as well as the shareholders and creditors thereof.

(5) If the scheme is not so approved or sanctioned, the Central Government may refer the scheme to such Judge of the High Court of Andhra Pradesh or the High Court of Telangana as may be nominated in this behalf by the Chief Justice thereof, and the decision of the Judge in regard to the scheme shall be final and shall be binding on the Corporations affected by the scheme as well as the shareholders and creditors thereof.

(6) Nothing in the preceding provisions of this section shall be construed as preventing the Government of the States of Andhra Pradesh and Telangana from constituting, at any time on or after the appointed day, a State Financial Corporation for that State under the State Financial Corporations Act, 1951 (63 of 1951).

71. Certain provisions for companies.—Notwithstanding anything in this Part, the Central Government may, for each of the companies specified in the Ninth Schedule to this Act, issue directions—

(a) regarding the division of the interests and shares of the existing State of Andhra Pradesh in the Company between the successor States ;

(b) requiring the reconstitution of the Board of Directors of the Company so as to give adequate representation to the successor States.

72. Temporary provisions as to continuance of certain existing road transport permits.—(1) Notwithstanding anything contained in section 88 of the Motor Vehicles Act, 1988 (59 of 1988), a permit granted by the State Transport Authority of the existing State of Andhra Pradesh or any Regional Transport Authority in that State shall, if such permit was, immediately before the

appointed day, valid and effective in any area in the transferred territory, be deemed to continue to be valid and effective in that area after that day till its period of validity subject to the provisions of that Act as for the time being in force in that area ; and it shall not be necessary for any such permit to be countersigned by the State Transport Authority of Telangana or any Regional Transport Authority therein for the purpose of validating it for use in such area :

Provided that the Central Government may, after consultation with the successor State Government or Governments concerned add to amend or vary the conditions attached to the permit by the Authority by which the permit was granted.

(2) No tolls, entrance fees or other charges of a like nature shall be levied after the appointed day in respect of any transport vehicle for its operations in any of the successor States under any such permit, if such vehicle was, immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations in the transferred territory :

Provided that the Central Government may, after consultation with the State Government or Governments concerned, authorise the levy of any such toll, entrance fees or other charges, as the case may be :

Provided further that the provisions of this sub-section shall not be applicable where any such tolls, entrance fees or other charges of a like nature are leviable for the use of any road or bridge which is constructed or developed for commercial purpose by the State Government, an undertaking of the State Government, a joint undertaking in which the State Government is a shareholder or the private sector.

73. *Special provisions relating to retrenchment compensation in certain cases.*—Where on account of the reorganisation of the existing State of Andhra Pradesh under this Act, any body corporate constituted under a Central Act, State Act or Provincial Act, any co-operative society registered under any law relating to co-operative societies or any commercial or industrial undertaking of that State is reconstituted or reorganised in any manner whatsoever or is amalgamated with any other body corporate, co-operative society or undertaking, or is dissolved, and in consequence of such reconstitution, reorganisation, amalgamation or dissolution, any workman employed by such body corporate or in any such co-operative society or undertaking, is transferred to, or re-employed by, any other body corporate, or in any other co-operative society or undertaking, then, notwithstanding anything contained in section 25F or section 25FF or section 25FFF of the Industrial Disputes Act, 1947 (14 of 1947), such transfer or re-employment shall not entitle him to any compensation under that section :

Provided that—

(a) the terms and conditions of service applicable to the workman after such transfer or re-employment are not less favourable to the workman than those applicable to him immediately before the transfer or re-employment ;

(b) the employer in relation to the body corporate, the co-operative society or the undertaking where the workman transferred or re-employed is, by agreement or otherwise, legally liable to pay to the workman, in the event of his retrenchment, compensation under section 25F or section 25FF or section 25FFF of the Industrial Disputes Act, 1947 (14 of 1947) on the basis that his service has been continuous and has not been interrupted by the transfer or re-employment.

74. *Special provision as to income-tax.*—Where the assets, rights and liabilities of any body corporate carrying on business are, under the provisions of this Part, transferred to any other bodies corporate which after the transfer carry on the same business, the losses or profits or gains sustained by the body corporate first-mentioned which, but for such transfer, would have been allowed to be carried forward and set off in accordance with the provisions of Chapter VI of the Income-tax Act, 1961 (43 of 1961), shall be apportioned amongst the transferee bodies corporate in accordance with the rules to be made by the Central Government in this behalf and, upon such apportionment, the share of loss allotted to each transferee body corporate shall be dealt with in

accordance with the provisions of Chapter VI of the said Act, as if the transferee body corporate had itself sustained such loss in a business carried on by it in the years in which those losses were sustained.

75. Continuance of facilities in certain State institutions.—(1) The Government of the State of Andhra Pradesh or the State of Telangana, as the case may be, shall, in respect of the institutions specified in the Tenth Schedule to this Act, located in that State, continue to provide facilities to the people of the other State which shall not, in any respect, be less favourable to such people than what were being provided to them before the appointed day, for such period and upon such terms and conditions as may be agreed upon between the two State Governments within a period of one year from the appointed day or, if no agreement is reached within the said period, as may be fixed by order of the Central Government.

(2) The Central Government may, at any time within one year from the appointed day, by notification in the *Official Gazette*, specify in the Tenth Schedule referred to in sub-section (1) any other institution existing on the appointed day in the States of Andhra Pradesh and Telangana and, on the issue of such notification, such Schedule shall be deemed to be amended by the inclusion of the said institution therein.

PART VIII

PROVISIONS AS TO SERVICES

76. Provisions relating to All-India Services.—(1) In this section, the expression “State cadre”—

(a) in relation to the Indian Administrative Service, has the meaning assigned to it in the Indian Administrative Service (Cadre) Rules, 1954 ;

(b) in relation to the Indian Police Service, has the meaning assigned to it in the Indian Police Service (Cadre) Rules, 1954 ; and

(c) in relation to the Indian Forest Service, has the meaning assigned to it in the Indian Forest Service (Cadre) Rules, 1966.

(2) In place of the cadres of the Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing State of Andhra Pradesh, there shall, on and from the appointed day, be two separate cadres, one for the State of Andhra Pradesh and the other for the State of Telangana in respect of each of these services.

(3) The provisional strength, composition and allocation of officers to the State cadres referred to in sub-section (2) shall be such as the Central Government may, by order, determine on or after the appointed day.

(4) The members of each of the said services borne on the Andhra Pradesh cadre immediately before the appointed day shall be allocated to the successor State cadres of the same service constituted under sub-section (2) in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(5) Nothing in this section shall be deemed to affect the operation, on or after the appointed day, of the All-India Services Act, 1951 (61 of 1951), or the rules made thereunder.

77. Provisions relating to other services.—(1) Every person who immediately before the appointed day is serving on substantive basis in connection with the affairs of the existing State of Andhra Pradesh shall, on and from that day provisionally continue to serve in connection with the affairs of the State of Andhra Pradesh unless he is required, by general or special order of the Central Government to serve provisionally in connection with the affairs of the State of Telangana :

Provided that every direction under this sub-section issued after the expiry of a period of one year from the appointed day shall be issued with the consultation of the Governments of the successor States.

(2) As soon as may be after the appointed day, the Central Government shall, by general or special order, determine the successor State to which every person referred to in sub-section (1) shall be finally allotted for service, after consideration of option received by seeking option from the employees, and the date with effect from which such allotment shall take effect or be deemed to have taken effect :

Provided that even after the allocation has been made, the Central Government may, in order to meet any deficiency in the service, depute officers of other State services from one successor State to the other :

Provided further that as far as local, district, zonal and multi-zonal cadres are concerned, the employees shall continue to serve, on or after the appointed day, in that cadre :

Provided also that the employees of local, district, zonal and multi-zonal cadres which fall entirely in one of the successor States, shall be deemed to be allotted to that successor State :

Provided also that if a particular zone or multi-zone falls in both the successor States, then the employees of such zonal or multi-zonal cadre shall be finally allotted to one or the other successor States in terms of the provisions of this sub-section.

(3) Every person who is finally allotted under the provisions of sub-section (2) to a successor State shall, if he is not already serving therein, be made available for serving in the successor State from such date as may be agreed upon between the Governments of the successor States or, in default of such agreement, as may be determined by the Central Government :

Provided that the Central Government shall have the power to review any of its orders issued under this section.

78. Other provisions relating to services.—(1) Nothing in this section or in section 77 shall be deemed to affect, on or after the appointed day, the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to determination of the conditions of service of persons serving in connection with the affairs of the Union or any State :

Provided that the conditions of service applicable immediately before the appointed day in the case of any person deemed to have been allocated to the State of Andhra Pradesh or to the State of Telangana under section 77 shall not be varied to his disadvantage except with the previous approval of the Central Government.

(2) All services prior to the appointed day rendered by a person,—

(a) if he is deemed to have been allocated to any State under section 77, shall be deemed to have been rendered in connection with the affairs of that State ;

(b) if he is deemed to have been allocated to the Union in connection with the administration of the successor State of Telangana, shall be deemed to have been rendered in connection with the affairs of the Union,

for the purposes of the rules regulating his conditions of service.

(3) The provisions of section 77 shall not apply in relation to members of any All-India Service.

79. Provisions as to continuance of officers in same post.—Every person who, immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the existing State of Andhra Pradesh in any area which on that day falls within one of the successor States shall continue to hold the same post or office in that successor State, and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, that successor State :

Provided that nothing in this section shall be deemed to prevent a competent authority, on and from the appointed day, from passing in relation to such person any order affecting the continuance in such post or office.

80. Advisory committees.—(1) The Central Government may, by order, establish one or more Advisory Committees, within a period of thirty days from the date of enactment of the Andhra Pradesh Reorganisation Act, 2014, for the purpose of assisting it in regard to—

(a) the discharge of any of its functions under this Part ; and

(b) the ensuring of fair and equitable treatment to all persons affected by the provisions of this Part and the proper consideration of any representations made by such persons.

(2) The allocation guidelines shall be issued by the Central Government on or after the date of enactment of the Andhra Pradesh Reorganisation Act, 2014 and the actual allocation of individual employees shall be made by the Central Government on the recommendations of the Advisory Committee :

Provided that in case of disagreement or conflict of opinion, the decision of the Central Government shall be final :

Provided further that necessary guidelines as and when required shall be framed by the Central Government or as the case may be, by the State Advisory Committee which shall be approved by the Central Government before such guidelines are issued.

81. Power of Central Government to give directions.—The Central Government may give such directions to the State Government of Andhra Pradesh and the State Government of Telangana as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Governments shall comply with such directions.

82. Provision for employees of public Sector Undertakings, etc.—On and from the appointed day, the employees of State Public Sector Undertakings, corporations and other autonomous bodies shall continue to function in such undertaking, corporation or autonomous bodies for a period of one year and during this period the corporate body concerned shall determine the modalities for distributing the personnel between the two successor States.

83. Provisions as to State Public Service Commission.—(1) The Public Service Commission for the existing State of Andhra Pradesh shall, on and from the appointed day, be the Public Service Commission for the State of Andhra Pradesh.

(2) There shall be constituted a Public Service Commission in accordance with article 315 of the Constitution by the successor State of Telangana, and until such Commission is constituted, the Union Public Service Commission may, with the approval of the President, agree to serve the needs of the State of Telangana in terms clause (4) of that article.

(3) The persons holding office immediately before the appointed day as the Chairman or other member of the Public Service Commission for the existing State of Andhra Pradesh shall, as from the appointed day, be the Chairman or, as the case may be, the other member of the Public Service Commission for the State of Andhra Pradesh.

(4) Every person who becomes the Chairman or other member of the Public Service Commission for the State of Andhra Pradesh on the appointed day under sub-section (3) shall—

(a) be entitled to receive from the Government of the State of Andhra Pradesh conditions of service not less favourable than those to which he was entitled under the provisions applicable to him ;

(b) subject to the proviso to clause (2) of article 316, hold office or continue to hold office until the expiration of his term of office as determined under the provisions applicable to him immediately before the appointed day.

(5) The report of the Andhra Pradesh Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented under clause (2) of article 323 to the Governors of the States of Andhra Pradesh and Telangana and the Governor of the State of Andhra Pradesh shall, on receipt of such report, cause a copy thereof together with a memorandum explaining as far as possible, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State of Andhra Pradesh and it shall not be necessary to cause such report or any such memorandum to be laid before the Legislative Assembly of the State of Telangana.

PART IX

MANAGEMENT AND DEVELOPMENT OF WATER RESOURCES

84. Apex Council for Godavari and Krishna river water resources and their Management Boards.—(1) The Central Government shall, on and from the appointed day, constitute an Apex Council for the supervision of the functioning of the Godavari River Management Board and Krishna River Management Board.

(2) The Apex Council shall consist of—

(a) Minister of Water Resources, Government of India—Chairperson ; (b) Chief Minister of State of Andhra Pradesh—Member ;

(c) Chief Minister of State of Telangana—Member. (3) The functions of the Apex Council shall include—

(i) supervision of the functioning of the Godavari River Management Board and Krishna River Management Board ;

(ii) planning and approval of proposals for construction of new projects, if any, based on Godavari or Krishna river water, after getting the proposal appraised and recommended by the River Management Boards and by the Central Water Commission, wherever required ;

(iii) resolution of any dispute amicably arising out of the sharing of river waters through negotiations and mutual agreement between the successor States ;

(iv) reference of any disputes not covered under Krishna Water Disputes Tribunal, to a Tribunal to be constituted under the Inter-State River Water Disputes Act, 1956 (33 of 1956).

85. Constitution and functions of River Management Board.—(1) The Central Government shall constitute two separate Boards to be called the Godavari River Management Board and Krishna River Management Board (to be known as the Board), within a period of sixty days from the appointed day, for the administration, regulation, maintenance and operation of such projects, as may be notified by the Central Government from time to time.

(2) The headquarters of Godavari River Management Board shall be located in the successor State of Telangana and of the Krishna River Management Board shall be located in the successor State of Andhra Pradesh.

(3) The Godavari River Management Board and Krishna River Management Board shall be autonomous bodies under the administrative control of the Central Government, and shall comply with such directions as may, from time to time, be given to them by the Central Government.

(4) Each Board shall consist of the following Chairperson and Members, namely :—

(a) a Chairperson not below the rank or level of Secretary or Additional Secretary to the Government of India to be appointed by the Central Government ;

(b) two members, to be nominated by each of the successor States, of which one shall be the technical member not below the rank of Chief Engineer and the other administrative member to represent the concerned States ;

(c) one expert to be nominated by the Central Government.

(5) Each Board shall have a full-time Member Secretary, not below the rank of Chief Engineer in the Central Water Commission, to be appointed by the Central Government.

(6) The Central Government shall create such number of posts of the rank of Chief Engineer in the Central Water Commission, as it considers necessary.

(7) Each Board shall be assisted in the day to day management of reservoirs by the Central Industrial Security Force constituted under the Central Industrial Security Force Act, 1968 (50 of 1968), on such terms and conditions as the Central Government may specify.

(8) The functions of each Board shall include—

(a) the regulation of supply of water from the projects to the successor States having regard to—

(i) awards granted by the Tribunals constituted under the Inter-State River Water Disputes Act, 1956 (33 of 1956) ;

(ii) any agreement entered into or arrangement made covering the Government of existing State of Andhra Pradesh and any other State or Union territory ;

(b) the regulation of supply of power generated to the authority in-charge of the distribution of power having regard to any agreement entered into or arrangement made covering the Government of the existing State of Andhra Pradesh and any other State or Union territory ;

(c) the construction of such of the remaining on-going or new works connected with the development of the water resources projects relating to the rivers or their tributaries through the successor States as the Central Government may specify by notification in the *Official Gazette* ;

(d) making an appraisal of any proposal for construction of new projects on Godavari or Krishna rivers and giving technical clearance, after satisfying that such projects do not negatively impact the availability of water as per the awards of the Tribunals constituted under the Inter-State River Water Disputes Act, 1956 (33 of 1956) for the projects already completed or taken up before the appointed day ; and

(e) such other functions as the Central Government may entrust to it on the basis of the principles specified in the Eleventh Schedule.

86. Staff of the Management Board.—(1) The Board shall employ such staff as it may consider necessary for the efficient discharge of its functions under this Act and such staff shall, at the first instance, be appointed on deputation from the successor States in equal proportion and absorbed permanently in the Board.

(2) The Government of the successor States shall at all times provide the necessary funds to the Board to meet all expenses (including the salaries and allowances of the staff) required for the discharge of its functions and such amounts shall be apportioned between the States concerned in such proportion as the Central Government may, having regard to the benefits to each of the said States, specify.

(3) The Board may delegate such of its powers, functions and duties as it may deem fit to the Chairman of the said Board or to any officer subordinate to the Board.

(4) The Central Government may, for the purpose of enabling the Board to function efficiently, issue such directions to the State Governments concerned, or any other authority, and the State Governments, or the other authority, shall comply with such directions.

87. Jurisdiction of Board.—(1) The Board shall ordinarily exercise jurisdiction on Godavari and Krishna rivers in regard to any of the projects over headworks (barrages, dams, reservoirs, regulating structures), part of canal network and transmission lines necessary to deliver water or power to the States concerned, as may be notified by the Central Government, having regard to the awards, if any, made by the Tribunals constituted under the Inter-State River Water Disputes Act, 1956 (33 of 1956).

(2) If any question arises as to whether the Board has jurisdiction under sub-section (1) over any project referred thereto, the same shall be referred to the Central Government for decision thereon.

88. Power of Board to make regulations.—The Board may make regulations consistent with the Act and the rules made thereunder, to provide for—

- (a) regulating the time and place of meetings of the Board and the procedure to be followed for the transaction of business at such meetings ;
- (b) delegation of powers and duties of the Chairman or any officer of the Board ;
- (c) the appointment and regulation of the conditions of service of the officers and other staff of the Board ;
- (d) any other matter for which regulations are considered necessary by the Board.

89. Allocation of water resources.—The term of the Krishna Water Disputes Tribunal shall be extended with the following terms of reference, namely :—

- (a) shall make project-wise specific allocation, if such allocation have not been made by a Tribunal constituted under the Inter-State River Water Disputes Act, 1956 (33 of 1956) ;
- (b) shall determine an operational protocol for project-wise release of water in the event of deficit flows.

Explanation.— For the purposes of this section, it is clarified that the project specific awards already made by the Tribunal on or before the appointed day shall be binding on the successor States.

90. Polavaram Irrigation Project to be a national project.—(1) The Polavaram Irrigation Project is hereby declared to be a national project.

(2) It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of the Polavaram Irrigation Project for the purposes of irrigation.

(3) The consent for Polavaram Irrigation Project shall be deemed to have been given by the successor State of Telangana.

(4) The Central Government shall execute the project and obtain all requisite clearances including environmental, forests, and rehabilitation and resettlement norms.

91. Arrangements on Tungabhadra Board.—(1) The Governments of the successor States of Andhra Pradesh and Telangana shall replace the existing State of Andhra Pradesh on the Tungabhadra Board.

(2) The Tungabhadra Board shall continue to monitor the release of water to High Level Canal, Low Level Canal and Rajolibanda Diversion Scheme.

PART X

INFRASTRUCTURE AND SPECIAL ECONOMIC MEASURES

92. Successor States to follow principles guidelines, etc. issued by Central Government.—The principles, guidelines, directions and orders issued by the Central Government, on and from the appointed day, on matters relating to coal, oil and natural gas, and power generation, transmission and distribution as enumerated in the Twelfth Schedule shall be implemented by the successor States.

93. Measures for progress and development of successor States.—The Central Government shall take all necessary measures as enumerated in the Thirteenth Schedule for the progress and sustainable development of the successor States within a period of ten years from the appointed day.

94. Fiscal measures including tax incentives.—(1) The Central Government shall take appropriate fiscal measures, including offer of tax incentives, to the successor States, to promote industrialisation and economic growth in both the States.

(2) The Central Government shall support the programmes for the development of backward areas in the successor States, including expansion of physical and social infrastructure.

(3) The Central Government shall provide special financial support for the creation of essential facilities in the new capital of the successor State of Andhra Pradesh including the Raj Bhawan, High Court, Government Secretariat, Legislative Assembly, Legislative Council, and such other essential infrastructure.

(4) The Central Government shall facilitate the creation of a new capital for the successor State of Andhra Pradesh, if considered necessary, by denotifying degraded forest land.

PART XI

ACCESS TO HIGHER EDUCATION

95. *Equal opportunities for quality higher education to all students.*—In order to ensure equal opportunities for quality higher education to all students in the successor States, the existing admission quotas in all government or private, aided or unaided, institutions of higher, technical and medical education in so far as it is provided under article 371D of the Constitution, shall continue as such for a period of ten years during which the existing common admission process shall continue.

PART XII

LEGAL AND MISCELLANEOUS PROVISIONS

96. *Amendment of article 168 of the Constitution.*—In sub-clause (a) of clause (1) of article 168 of the Constitution, for the word “Tamil Nadu”, the words “Tamil Nadu, Telangana” shall be substituted.

97. *Amendment of article 371D of the Constitution.*—On and from the appointed day, in article 371D of the Constitution,—

(a) in the marginal heading, for the words “the State of Andhra Pradesh”, the words “the State of Andhra Pradesh or the State of Telangana” shall be substituted ;

(b) for clause (1), the following clause shall be substituted, namely :—

“(1) The President may by order made with respect to the State of Andhra Pradesh or the State of Telangana, provide, having regard to the requirement of each State, for equitable opportunities and facilities for the people belonging to different parts of such State, in the matter of public employment and in the matter of education, and different provisions may be made for various parts of the States.” ;

(c) in clause (3), for the words “the State of Andhra Pradesh”, the words “the State of Andhra Pradesh and for the State of Telangana” shall be substituted.

98. *Amendment of section 15A of Act 43 of 1951.*—In section 15A of the Representation of the People Act, 1951, after the words and figures “under the Tamil Nadu Legislative Council Act, 2010” (16 of 2010), the words and figures “and constituting the Legislative Council of the State of Telangana under the Andhra Pradesh Reorganisation Act, 2014” shall be inserted.

99. *Amendment of section 15 of Act 37 of 1956.*—On and from the appointed day, in section 15 of the States Reorganisation Act, 1956, in clause (e), for the words “Andhra Pradesh”, the words “Andhra Pradesh and Telangana” shall be substituted.

100. *Territorial extent of laws.*—The provisions of Part II shall not be deemed to have affected any change in the territories to which the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Andhra Pradesh Act No. 1 of 1973) and any other law in force immediately before the appointed day extends or applies, and territorial references in any such law to the State of Andhra Pradesh shall, until otherwise provided by a competent Legislature or other competent authority be construed as meaning the territories within the existing State of Andhra Pradesh before the appointed day.

101. Power to adapt laws.—For the purpose of facilitating the application in relation to the State of Andhra Pradesh or the State of Telangana of any law made before the appointed day, the appropriate Government may, before the expiration of two years from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.— In this section, the expression “appropriate Government” means as respects any law relating to a matter enumerated in the Union List, the Central Government, and as respects any other law in its application to a State, the State Government.

102. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 102 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of Andhra Pradesh or the State of Telangana, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

103. Power to name authorities etc, for exercising statutory functions.—The Government of the State of Telangana, as respects the transferred territory may, by notification in the *Official Gazette*, specify the authority, officer or person who, on or after the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

104. Legal proceedings.—Where, immediately before the appointed day, the existing State of Andhra Pradesh is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment between the States of Andhra Pradesh and Telangana under this Act, the State of Andhra Pradesh or the State of Telangana which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the existing State of Andhra Pradesh or added as a party to those proceedings, and the proceedings may continue accordingly.

105. Transfer of pending proceedings.—(1) Every proceeding pending immediately before the appointed day before a court (other than High Court), tribunal, authority or officer in any area which on that day falls within the State of Andhra Pradesh shall, if it is a proceeding relating exclusively to the territory, which as from that day are the territories of the State of Telangana, stand transferred to the corresponding court, tribunal, authority or officer of that State.

(2) If any question arises as to whether any proceeding should stand transferred under sub-section (1) it shall be referred to the High Court at Hyderabad and the decision of that High Court shall be final.

(3) In this section—

(a) “proceeding” includes any suit, case or appeal ; and

(b) “corresponding court, tribunal authority or officer” in the State of Telangana means—

(i) the court, tribunal, authority or officer in which, or before whom, the proceeding would have laid if it had been instituted after the appointed day ; or

(ii) in case of doubt, such court, tribunal, authority, or officer in that State, as may be determined after the appointed day by the Government of that State or the Central Government, as the case may be, or before the appointed day by the Government of the existing State of Andhra Pradesh to be the corresponding court, tribunal, authority or officer.

106. *Right of pleaders to practise in certain cases.*—Any person who, immediately before the appointed day, is enrolled as a pleader entitled to practise in any subordinate court in the existing State of Andhra Pradesh shall, for a period of one year from that day, continue to be entitled to practise in those courts, notwithstanding that the whole or any part of the territories within the jurisdiction of those courts has been transferred to the State of Telangana.

107. *Effect of provisions of the Act inconsistent with other laws.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

108. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the President may, by order do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulty :

Provided that no such order shall be made after the expiry of a period of three years from the appointed day.

(2) Every order made under this section shall be laid before each House of Parliament.

THE FIRST SCHEDULE

(See section 13)

(i) Of the five sitting members whose term of office will expire on 9th April, 2014, namely, Shri T. Subbarami Reddy, Shri Nandi Yellaiah, Shri Mohammed Ali Khan, Smt. T. Ratna Bai and Shri K.V.P. Ramachandra Rao, such two as the Chairman of the Council of States may determine by drawing lots shall be deemed to have been elected to fill two of the seven seats allotted to the State of Telangana and the other three sitting members shall be deemed to have been elected to fill three of the eleven seats allotted to the State of Andhra Pradesh.

(ii) Of the six sitting members whose term of office will expire on 21st June, 2016, namely, Shri Jesudasu Seelam, Shri Jairam Ramesh, Shri N. Janardhana Reddy, Shri V. Hanumantha Rao, Smt. Gundu Sudharani and Shri Y. S. Chowdary, such two as the Chairman of the Council of States may determine by drawing lots shall be deemed to have been elected to fill two of the seats allotted to the State of Telangana and the other four sitting members shall be deemed to have been elected to fill four of the seats allotted to the State of Andhra Pradesh.

(iii) Of the six sitting Members representing the State of Andhra Pradesh whose term of office will expire on 2nd April, 2018, namely, Shri Ananda Baskar Rapolu, Shri K. Chiranjeevi, Shri Palvai Govardhana Reddy, Smt. Renuka Chowdhury, Shri T. Devender Goud and Shri C. M. Ramesh, such three as the Chairman of the Council of States may determine by drawing lots shall be deemed to have been elected to fill three of the seats allotted to the State of Telangana and the other three sitting members shall be deemed to have been elected to fill the three of the seats allotted to the State of Andhra Pradesh.

(iv) The term of one seat which is to expire on 9th April, 2014 and has become vacant due to resignation of Shri Nandamuri Harikrishna on 22nd August, 2014, shall be allotted to the State of Andhra Pradesh.

THE SECOND SCHEDULE

(See section 15)

AMENDMENTS TO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY
CONSTITUENCIES ORDER, 2008

In the Delimitation of Parliamentary and Assembly Constituency Order, 2008,—

1. In Schedule I,—

(i) for serial number 1 relating to Andhra Pradesh and the entries relating thereto, the following shall be substituted, namely :—

Serial Number and Name of the State/ Union Territory	Number of seats in the House as constituted on the basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 as amended from time to time			Number of seats in the House as subsequently constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
“I. Andhra Pradesh	42	6	2	25	4	1”;

(ii) after serial number 24 relating to Tamil Nadu and the entries relating thereto, the following shall be inserted, namely :—

1	2	3	4	5	6	7
“25. Telangana	17	3	2”;

(iii) serial numbers 25 to 28 shall be renumbered as serial numbers 26 to 29, respectively.

2. In Schedule II,—

(iv) for serial number 1 relating to Andhra Pradesh and the entries relating thereto, the following shall be substituted, namely :—

Serial Number and Name of the State/ Union Territory	Number of seats in the House as constituted on the basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 as amended from time to time			Number of seats in the House as subsequently constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
“I. Andhra Pradesh	294	39	15	175	29	7”;

(v) after serial number 24 relating to Tamil Nadu and the entries relating thereto, the following shall be inserted, namely :—

1	2	3	4	5	6	7
“25. Telangana	119	19	12”;

(vi) serial numbers 25 to 28 shall be renumbered as serial numbers 26 to 29, respectively.

3. For Schedule III, the following shall be substituted, namely :—

**“SCHEDULE – III
ANDHRA PRADESH
TABLE A – ASSEMBLY CONSTITUENCIES**

Sl. No. and Name (1)	Extent of Assembly Constituencies (2)
1—DISTRICT : SRIKAKULAM	
1. Ichchapuram	Kanchili, Ichchapuram, Kaviti and Sompeta Mandals.
2. Palasa	Palasa, Mandasa and Vajrapukothuru Mandals.
3. Tekkali	Nandigam, Tekkali, Santhabommali and Kotabommali Mandals.
4. Pathapatnam	Pathapatnam, Meliaputti, L. N. Pet, Kothur and Hiramandalam Mandals.
5. Srikakulam	Gara and Srikakulam Mandals.
6. Amadalavalasa	Amadalavalasa, Ponduru, Sarubujili and Burja Mandals.
7. Etcherla	G. Sigadam, Laveru, Ranastalam and Etcherla Mandals.
8. Narasannapeta	Jalumuru, Narasannapeta, Saravakota and Polaki Mandals.
9. Rajam (SC)	Vangara, Regidi Amadalavalasa, Rajam and Santhakaviti Mandals.
10. Palakonda (ST)	Seethampeta, Bhamini, Palakonda and Veeraghattam Mandals.
2—DISTRICT : VIZIANAGARAM	
11. Kurupam (ST)	Kurupam, Gummalakshmipuram, Jiyammavalasa, Komarada and Garugubilli Mandals.
12. Parvathipuram (SC)	Parvathipuram, Seethanagaram and Balijipeta Mandals.
13. Salur (ST)	Salur, Pachipenta, Mentada and Makkuva Mandals.
14. Bobbili	Bobbili, Ramabhadrapuram, Badangi and Therlam Mandals.
15. Cheepurupalli	Merakamudidam, Garividi, Cheepurupalli and Gurla Mandals.
16. Gajapathinagaram	Gajapathinagaram, Bondapalli, Gantyada and Dattirajeru Mandals ; and Vizinigiri, Thandrangi, Jannivalasa, Venne, Sasanapalli, Attada, Bheemasingi, Somayajulapalem, Lotlapalli, Mokhasa Kothavalasa, Kumaram and Annamrajuveta villages of Jami Mandal.

(1)	(2)
17. Nellimarla	Nellimarla, Pusapatirega, Denkada and Bhogapuram Mandals.
18. Vizianagaram	Vizianagaram Mandal.
19. Srungavarapukota	Srungavarapukota, Vepada, Lakkavarapukota and Kothavalasa Mandals ; and Jami Mandal (Except 12 villages <i>i.e.</i> Vizinigiri, Thandrangi, Jannivalasa, Venne, Sasanapalli, Attada, Bheemasingi, Somayajulapalem, Lotlapalli, Mokhasa Kothavalasa, Kumaram and Annamrajupeeta).
3—DISTRICT : VISAKHAPATNAM	
20. Bhimili	Anandapuram, Padmanabham, Bheemunipatnam and Visakhapatnam Rural Mandals.
21. Visakhapatnam East	Visakhapatnam (Urban) Mandal (Part) Visakhapatnam (M Corp.)—Ward No. 1 to 11 and 53 to 55.
22. Visakhapatnam South	Visakhapatnam (Urban) Mandal (Part) Visakhapatnam (M Corp.)—Ward No. 12 to 34, 42 to 43 and 46 to 48.
23. Visakhapatnam North	Visakhapatnam (Urban) Mandal (Part) Visakhapatnam (M Corp.)—Ward No. 36 to 41, 44 to 45 and 49 to 52.
24. Visakhapatnam West	Visakhapatnam (Urban) Mandal (Part) Visakhapatnam (M Corp.)—Ward No. 35 and 56 to 71.
25. Gajuwaka	Gajuwaka Mandal (Including Gajuwaka Municipality).
26. Chodavaram	Chodavaram, Butchayyapeta, Ravikamatham and Rolugunta Mandals.
27. Madugula	Madugula, Cheedikada, Devarapalle and K. Kotapadu Mandals.
28. Araku Valley (ST)	Munchingiputtu, Pedabayalu, Dumbriguda, Araku Valley, Hukumpeta and Ananthagiri Mandals.
29. Paderu (ST)	Paderu, G. Madugula, Chintapalle, Gudem Kotha Veedhi and Koyyuru Mandals.
30. Anakapalle	Kasimkota and Anakapalle Mandals.
31. Pendurthi	Pedagantyada (excluding areas included in Gajuwaka Municipality), Paravada, Sabbavaram and Pendurthi Mandals.
32. Yelamanchili	Rambilli, Munagapaka, Atchutapuram and Yelamanchili Mandals.
33. Payakaraopet (SC)	Kotauratla, Nakkapalle, Payakaraopeta and S. Rayavaram Mandals.
34. Narsipatnam	Nathavaram, Golugonda, Narsipatnam and Makavarapalem Mandals.
4—DISTRICT : EAST GODAVARI	
35. Tuni	Thondangi, Kotananduru and Tuni Mandals.
36. Prathipadu	Sankhavaram, Prathipadu, Yeleswaram and Rowthulapudi Mandals.
37. Pithapuram	Gollaprolu, Pithapuram and Kothapalle Mandals.

(1)	(2)
38. Kakinada Rural	Karapa and Kakinada Rural Mandals. Kakinada Urban Mandal (Part) Kakinada Urban (M) (Part) Kakinada (M)—Ward No.66 to 70.
39. Peddapuram	Samalkota and Peddapuram Mandals.
40. Anaparthi	Pedapudi, Biccavolu, Rangampeta and Anaparthi Mandals.
41. Kakinada City	Kakinada Urban Mandal (Part) Kakinada Urban (M) (Part) Kakinada (M)—Ward No.1 to 65.
42. Ramachandrapuram	Kajuluru, Ramachandrapuram and Pamarru Mandals.
43. Mummidivaram	Polavaram, Mummidivaram, Thallarevu and Katrenikona Mandals.
44. Amalapuram (SC)	Uppalaguptam, Allavaram and Amalapuram Mandals.
45. Razole (SC)	Razole, Malikipuram and Sakhinetipalle Mandals. Mamidikuduru Mandal (Part) Mamidikuduru, Geddada, Edarada, Komarada, Magatapalle and Gogannamatham Villages.
46. Gannavaram (SC)	P. Gannavaram, Ambajipeta and Ainavilli Mandals. Mamidikuduru Mandal (Part) Pedapatnam, Appanapalle, Botlakurru Doddavaram, Pasarlapudi, Pedapatnam, Nagaram, Mogalikuduru, Makanapalem, Lutukurru, Pasarlapudilanka and Adurru Villages.
47. Kothapeta	Ravulapalem, Kothapeta, Atreyapuram and Alamuru Mandals.
48. Mandapeta	Mandapeta, Rayavaram and Kapileswarapuram Mandals.
49. Rajanagaram	Rajanagaram, Seethanagaram and Korukonda Mandals.
50. Rajahmundry City	Rajahmundry Urban Mandal (Part) Rajahmundry (M Corp.) (Part) Rajahmundry (M Corp.) - Ward No. 7 to 35 and 42 to 89.
51. Rajahmundry Rural	Kadium and Rajahmundry Rural Mandals. Rajahmundry Urban Mandal (Part) Rajahmundry (M Corp.) (Part) Rajahmundry (M Corp.) - Ward No.1 to 6, 36 to 41 and 90.
52. Jaggampeta	Gokavaram, Jaggampeta, Gandepalle and Kirlampudi Mandals.
53. Rampachodavaram (ST)	Maredumilli, Devipatnam, Y. Ramavaram, Addateegala, Gangavaram, Rampachodavaram and Rajavommangi Mandals.

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5—DISTRICT : WEST GODAVARI

54. Kovvur (SC)	Kovvur, Chagallu and Tallapudi Mandals.
55. Nidadavole	Nidadavole, Undrajavaram and Peravali Mandals.
56. Achanta	Penugonda, Achanta and Penumantra Mandals. Poduru Mandal (Part) Kavitam, Jagannadhapuram, Pandithavilluru, Miniminchilipadu, Poduru, Pemmarajupolavaram and Gummaluru Villages.
57. Palacole	Palacole and Yelamanchili Mandals. Poduru Mandal (Part) Kommuchikkala, Vedangi, Jinnuru, Mattaparru, Penumadam, Ravipadu and Vaddiparru Villages.
58. Narasapuram	Mogalthur and Narasapuram Mandals.
59. Bhimavaram	Veeravasaram and Bhimavaram Mandals. Bhimavaram (M+OG) Bhimavaram (M) - Ward No. 1 to 27 China-Amiram (OG) (Part) - Ward No. 28 Rayalam (R) (OG) (Part) - Ward No. 29.
60. Undi	Kalla, Palacoderu, Undi and Akividu Mandals.
61. Tanuku	Tanuku, Attili and Iragavaram Mandals.
62. Tadepalligudem	Tadepalligudem and Pentapadu Mandals.
63. Unguturu	Unguturu, Bhimadole, Nidamarra and Ganapavaram Mandals.
64. Denduluru	Pedavegi, Pedapadu and Denduluru Mandals. Eluru Mandal (Part). Malkapuram, Chataparru, Jalipudi, Katlampudi, Madepalli, Manuru, Sreeparru, Kalakurru, Komatilanka, Gudivakalanka, Kokkirailanka, Pydichintapadu and Prathikolla lanka Villages.
65. Eluru	Eluru Mandal (Part) Eluru (M) (Part) Eluru (M) - Ward No. 1 to 28 Eluru Mandal (Part) Eluru Mandal (OG) (Part) Satrampadu (OG) - Ward No. 29 Gavaravaram (OG) - Ward No. 30 Tangellamudi (R) (OG) - Ward No. 31 Komadavolu (OG) (Part) - Ward No. 32 Eluru (R) (OG) (Part) - Ward No. 33 Eluru Mandal (Part) Chodimella, Sanivarapupeta, Eluru (Rural), Komadavole (Rural) and Ponangi Villages.
66. Gopalapuram (SC)	Dwaraka Tirumala, Nallajerla, Devarapalli and Gopalapuram Mandals.
67. Polavaram (ST)	Polavaram, Buttayagudem, Jeelugumilli, Koyyalagudem and T. Narasapuram Mandals.
68. Chintalapudi (SC)	Chintalapudi, Lingapalem, Kamavarapukota and Jangareddigudem Mandals.

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6—DISTRICT : KRISHNA

69. Tiruvuru (SC)	Vissannapet, Gampalagudem, Tiruvuru and A. Konduru Mandals.
70. Nuzvid	Agiripalli, Chatrai, Musunuru and Nuzvid Mandals.
71. Gannavaram	Bapulapadu, Gannavaram and Unguturu Mandals Vijayawada (Rural) Mandal (Part) Ambapuram, Phiryadi Nainavaram, Pathapadu, Nunna, Enikepadu, Nidamanuru, Done Atkuru, Gudavalli, Prasadampadu and Ramavarappadu Villages.
72. Gudivada	Gudlavalleru, Gudivada and Nandivada Mandals.
73. Kaikalur	Mandavalli, Kaikalur, Kalidindi and Mudinepalle Mandals.
74. Pedana	Gudur, Pedana, Bantumilli and Kruthivenu Mandals.
75. Machilipatnam	Machilipatnam Mandal.
76. Avanigadda	Challapalli, Mopidevi, Avanigadda, Nagayalanka, Koduru and Ghantasala Mandals.
77. Pamarru (SC)	Pamarru, Thotlavalluru, Pamidimukkala, Movva and Pedaparupudi Mandals.
78. Penamaluru	Kankipadu, Vuyyuru and Penamaluru Mandals.
79. Vijayawada West	Vijayawada Urban Mandal (Part) Vijayawada Urban (M.Corp.) (Part) Vijayawada (M Corp.) - Ward No.1 to 13, 15 to 19, 75 and 76.
80. Vijayawada Central	Vijayawada Urban Mandal (Part) Vijayawada Urban (M.Corp.) (Part) Vijayawada (M Corp.)—Ward No.14, 20 to 31, 33 to 35, 42 to 44, 49, 77 and 78.
81. Vijayawada East	Vijayawada Urban Mandal (Part) Vijayawada Urban (M.Corp.) (Part) Vijayawada (M Corp.) Ward No. 32, 36 to 41, 45 to 48 and 50 to 74.
82. Mylavaram	Ibrahimpatnam, G.Konduru, Mylavaram and Reddigudem Mandals. Vijayawada (Rural) Mandal (Part) Kotturu, Tadepalle, Vemavaram, Shabada, Paidurupadu, Rayanapadu, Gollapudi and Jakkampudi Villages.
83. Nandigama (SC)	Kanchikacherla, Chandarlapadu and Veerullapadu Mandals. Nandigama Mandal (Part) Pedavaram, Thakkellapadu, Munagacherla, Latchapalem, Lingalapadu, Adiviravulapadu, Chandapuram, Kethaveeruni Padu, Kanchela, Ithavaram, Ambarupeta, Nandigama, Satyavaram, Pallagiri and Raghavapuram Villages.

(1)	(2)
84. Jaggayyapeta	Vatsavai, Jaggayyapeta and Penuganchiprolu Mandals Nandigama Mandal (Part) Magallu, Konduru, Ramireddipalle, Jonnalagadda, Konathamatomakuru, Torrugudipadu, Damuluru, Somavaram, Rudravaram and Gollamudi Villages.
7 - DISTRICT : GUNTUR	
85. Pedakurapadu	Bellamkonda, Atchampet, Krosuru, Amaravathi and Pedakurapadu Mandals.
86. Tadikonda (SC)	Tulluru, Tadikonda, Phirangipuram and Medikonduru Mandals.
87. Mangalagiri	Tadepalli, Mangalagiri and Duggirala Mandals.
88. Ponnuru	Ponnuru, Chebrolu and Pedakakani Mandals.
89. Vemuru (SC)	Vemuru, Kolluru, Tsunduru, Bhattiprolu and Amarthaluru Mandals.
90. Repalle	Nizampatnam, Nagaram, Cherukupalli and Repalle Mandals.
91. Tenali	Kollipara and Tenali Mandals.
92. Bapatla	Bapatla, Pittalavanipalem and Karlapalem Mandals.
93. Prathipadu (SC)	Guntur Mandal (except M. Corp.) Vatticherukuru, Prathipadu, Pedanandipadu and Kakumanu Mandals.
94. Guntur West	Guntur Mandal (Part) Guntur (M. Corp.) (Part) Guntur (M. Corp.)—Ward No. 1 to 6 and 24 to 28.
95. Guntur East	Guntur Mandal (Part) Guntur (M. Corp.) (Part) Guntur (M Corp.) Ward No. 7 to 23.
96. Chilakaluripet	Nadendla, Chilakaluripet and Edlapadu Mandals.
97. Narasaraopet	Rompicherla and Narasaraopet Mandals.
98. Sattenapalle	Sattenapalli, Rajupalem, Nekarikallu and Muppalla Mandals.
99. Vinukonda	Bollapalli, Vinukonda, Nuzendla, Savalyapuram and Ipur Mandals.
100. Gurajala	Gurajala, Dacheipalli, Piduguralla and Machavaram Mandals.
101. Macherla	Macherla, Veldurthi, Durgi, Rentachintala and Karempudi Mandals.
8 - DISTRICT : PRAKASAM	
102. Yerragondapalem (SC)	Yarragondapalem and Pedda Araveedu, Pullalacheruvu, Tripuranthakam, Dornala and Peda Araveedu Mandals.
103. Darsi	Donakonda, Kurichedu, Mundlamuru, Darsi and Thallur Mandals.
104. Parchur	Yeddapanudi, Parchur, Karamchedu, Inkollu, Chinaganjam and Martur Mandals.
105. Addanki	J. Panguluru, Addanki, Santhamaguluru, Ballikurava and Korisapadu Mandals.
106. Chirala	Chirala and Vetapalem Mandals.
107. Santhanuthalapadu (SC)	Naguluppalapadu, Maddipadu, Chimakurthi and Santhanuthalapadu Mandals.
108. Ongole	Ongole and Kothapatnam Mandals.

(1)	(2)
109. Kandukur	Kandukur, Lingasamudram, Gudluru, Ulavapadu and Volivetivaripalem Mandals.
110. Kondapi (SC)	Singarayakonda, Kondapi, Tangutur, Jarugumalli, Ponnaluru and Marripudi Mandals.
111. Markapuram	Konakanamitla, Podili, Markapur and Tarlupadu Mandals.
112. Giddalur	Bestavaripeta, Racherla, Giddalur, Komarolu, Cumbum and Ardhavedu Mandals.
113. Kanigiri	Hanumanthunipadu, Chandrasekharapuram, Pamur, Veligandla, Pedacherlopalle and Kanigiri Mandals.

9 – DISTRICT : NELLORE

114. Kavali	Kavali, Bogole, Allur and Dagadarthi Mandals.
115. Atmakur	Chejerla, Atmakur, Anumasamudrampeta, Marripadu, Sangam and Ananthasagaram Mandals.
116. Kovur	Vidavalur, Kodavalur, Kovur, Buchireddipalem and Indukurpet —Mandals.
117. Nellore City	Nellore Mandal (Part) Nellore Mandal (M+OG) (Part) Nellore (M) Ward No.1 to 15, 27, 28 and 31 to 44.
118. Nellore Rural	Nellore Mandal (Part) Golla Kandukur, Sajjapuram, Vellanti, Kandamur, Upputur, South Mopur, Mogallapalem, Mattempadu, Amancherla, Mannavarappadu, Mulumudi, Devarapalem, Pottepalem, Akkacheruvupadu, Ogurupadu, Ambapuram, Donthali, Buja, Buja Nellore (Rural), Kallurpalle (Rural), Kanuparthipadu, Allipuram (Rural), Gudipallipadu, Pedda, Cherukur, Chintareddipalem, Visavaviletipadu, Gundlapalem, Kakupalle—I, Kakupalle-II (Madaraja Gudur) and Penubarthi Villages. Nellore Mandal (M+OG) (Part) Nellore (M)—Ward No. 16 to 26, 29 and 30 Allipuram (OG) (Part)—Ward No. 45 Kallurpalle (OG) (Part)—Ward No. 46 Buja Buja Nellore (OG) (Part)—Ward No. 47 Nellore (Bit.1) (OG)—Ward No. 48.
119. Sarvepalli	Podalakur, Thotapalligudur, Muthukur, Venkatachalam and Manubolu Mandals.
120. Gudur (SC)	Gudur, Chillakur, Kota, Vakadu and Chittamur Mandals.
121. Sullurpeta (SC)	Ojili, Naidupet, Pellakur, Doravarisatram, Sullurpeta and Tada Mandals.
122. Venkatagiri	Kaluvoya, Rapur, Sydapuram, Dakkili, Venkatagiri and Balayapalle Mandals.
123. Udayagiri	Jaladanki, Seetharamapuram, Udayagiri, Varikuntapadu, Vinjamur, Duttalur, Kaligiri and Kondapuram Mandals.

(1)	(2)
10 – DISTRICT : KADAPA	
124. Badvel (SC)	Kalasapadu, B.Kodur, Sri Avadhutha Kasinayana, Porumamilla, Badvel, Gopavaram and Atlur Mandals.
125. Rajampet	Sidhout, Vontimitta, Nandalur, Rajampet, Veeraballe and T Sundupalle Mandals.
126. Kadapa	Kadapa Mandal.
127. Kodur (SC)	Penagalur, Chitvel, Pullampeta, Obulavaripalle and Kodur Mandals.
128. Rayachoti	Sambepalle, Chinnamandem, Rayachoti, Galiveedu, Lakkireddipalli and Ramapuram Mandals.
129. Pulivendla	Simhadripuram, Lingala, Thondur, Pulivendla, Vemula, Vempalle and Chakrayapet Mandals.
130. Kamalapuram	Pendlimarri, Chinthakommadinne, Kamalapuram, Vallur, Veerapunayunipalle and Chennur Mandals.
131. Jammalamadugu	Peddammudium, Mylavaram, Kondapuram, Jammalamadugu, Muddanur and Yerraguntla Mandals.
132. Proddatur	Rajupalem and Proddatur Mandals.
133. Mydukur	Duvvur, S.Mydukur, Khajipet, Brahmamgarimattam and Chapad Mandals.
11 – DISTRICT : KURNOOL	
134. Allagadda	Sirvel, Allagadda, Dornipadu, Uyyalawada, Chagalamarri and Rudravaram Mandals.
135. Srisailam	Srisailam, Atmakur, Velgode, Bandi Atmakur and Mahanandi Mandals.
136. Nandikotkur (SC)	Nandikotkur, Pagidyala, J. Bungalow, Kothapalle, Pamulapadu and Midthur Mandals.
137. Kurnool	Kurnool Mandal (Part) Kurnool (M Corp.) (Part) Kurnool (M Corp.)—Ward No.1 to 69.
138. Panyam	Kallur, Orvakal, Panyam and Gadivemula Mandals.
139. Nandyal	Nandyal and Gospadu Mandals.
140. Banaganapalle	Banaganapalle, Owk, Koilkuntla, Sanjamala and Kolimigundla Mandals.
141. Dhone	Bethamcherla, Dhone and Peapally Mandals.
142. Pattikonda	Krishnagiri, Veldurthi, Pattikonda, Maddikera and Tuggali Mandals.
143. Kodumur (SC)	C.Belagal, Gudur and Kodumur Mandals. Kurnool Mandal (Part) R.Kanthalapadu, Sunkesula, Remata, Ulchala, Basavapuram, Edurur, G. Singavaram, Nidzur, Munagalapadu, Mamidalapadu, Panchalingala, E.Thandrapadu. Gondiparla, Dinnevarapadu, B.Thandrapadu, Pasupula, Rudravaram, Noothanapalle, Devamada, Pudur, Gargeyapuram and Diguvapadu Villages.
144. Yemmiganur	Nandavaram, Yemmiganur and Gonegandla Mandals.
145. Mantralayam	Peda Kadubur, Mantralayam, Kosigi and Kowthalam Mandals.
146. Adoni	Adoni Mandal.
147. Alur	Devanakonda, Holagunda, Halaharvi, Alur, Aspari and Chippagiri Mandals.

(1)	(2)
12—DISTRICT : ANANTAPUR	
148. Rayadurg	D.Hirehal, Rayadurg, Kanekal, Bommanahal and Gummagatta Mandals.
149. Uravakonda	Vidapanakal, Vajrakarur, Uravakonda, Beluguppa and Kudair Mandals.
150. Guntakal	Guntakal, Gooty and Pamidi Mandals.
151. Tadpatri	Peddavadugur, Yadiki, Tadpatri and Peddapappur Mandals.
152. Singanamala (SC)	Garladinne, Singanamala, Putlur, Yellanur, Narpala and B.K. Samudram Mandals.
153. Anantapur	Urban Anantapur Mandal (Part) Anantapur (M+OG) (Part) Anantapur (M)—Ward No.1 to 28 Narayanapuram (OG)—Ward No. 29 Kakkalapalle (R) (OG) (Part)—Ward No. 30 Anantapur (R) (OG)—Ward No. 31.
154. Kalyandurg	Brahmasamudram, Kalyandurg, Settur, Kundurpi and Kambadur Mandals.
155. Raptadu	Atmakur, Raptadu, Kanaganapalli, C. K. Palli and Ramagiri Mandals, Anantapur Mandal (Part) Kodimi, Thaticherla, Somanadoddi, Rachanapalle, Sajjalakalva, Kurugunta, Gollapalle, Kamarupalle, Alamuru, Katiganikalva, Kakkalapalle (Rural), Upparapalle, Itikalapalle, Jangalapalle, Kandakur, Chiyyedu, Mannila and Papampet (CT) Villages.
156. Madakasira (SC)	Madakasira, Amarapuram, Gudibanda, Rolla and Agali Mandals.
157. Hindupur	Hindupur, Lepakshi and Chilamathur Mandals.
158. Penukonda	Parigi, Penukonda, Gorantla, Somandepalle and Roddam Mandals.
159. Puttaparthi	Nallamada, Bukkapatnam, Kothacheruvu, Puttaparthi, O. D. Cheruvu and Amadagur Mandals.
160. Dharmavaram	Dharmavaram, Bathalapalle, Tadimarri and Mudigubba Mandals.
161. Kadiri	Talupula, Nambulipulikunta, Gandlapenta, Kadiri, Nallacheruvu and Tanakal Mandals.
13—DISTRICT : CHITTOOR	
162. Thamballapalle	Mulakalacheruvu, Thamballapalle, Peddamandyam, Kurabalakota, Peddathippasamudram and B.Kothakota Mandals.
163. Pileru	Gurramkonda, Kalakada, K. V. Palle, Pileru, Kalikiri and Valmikipuram Mandals.
164. Madanapalle	Madanapalle, Nimmanapalle and Ramasamudram Mandals.

(1)	(2)
165. Punganur	Sodam, Somala, Chowdepalle, Punganur, Pulicherla and Rompicherla Mandals.
166. Chandragiri	Tirupati (Rural), Chandragiri, Pakala, Ramachandrapuram, Chinnagottigallu and Yerravaripalem Mandals.
167. Tirupati	Tirupati (Urban) Mandal (Part) Konkachennaiahgunta, Mangalam and Chennayyagunta Villages. Tirupati (Urban) Mandal (Part) Tirumala (CT) Tirupati (NMA) (CT) Akkarampalle (CT) Tirupati (M+OG) (Part).
168. Srikalahasti	Renigunta, Yerpedu, Srikalahasti and Thottambedu Mandals.
169. Satyavedu (SC)	Narayanavanam, B. N. Kandriga, Varadaiahpalem, K.V.B.Puram, Pitchatur, Satyavedu and Nagalapuram Mandals.
170. Nagari	Nindra, Vijayapuram, Nagari, Puttur and Vadamalapeta Mandals.
171. Gangadhara Nellore (SC)	Vedurukuppam, Karvetinagar, Penumuru, S. R. Puram, G.D. Nellore and Palasamudram Mandals.
172. Chittoor	Chittoor and Gudipala Mandals.
173. Puthalapattu (SC)	Puthalapattu, Irala, Thavanampalle, Bangarupalem and Yadamari Mandals.
174. Palamaner	Gangavaram, Palamaner, Baireddipalle, V. Kota and Peddapanjani Mandals.
175. Kuppam	Santipuram, Gudupalle, Kuppam and Ramakuppam Mandals.

TABLE B PARLIAMENTARY CONSTITUENCIES.

Sl. No. and Name (1)	Extent of Parliamentary Constituencies (2)
1. ARAKU (ST)	10-Palakonda (ST), 11-Kurupam (ST), 12-Parvathipuram (SC), 13-Salur (ST), 28-Araku Valley (ST), 29-Paderu (ST) and 53-Rampachodovaram (ST).
2. SRIKAKULAM	1-Ichchapuram, 2-Palasa, 3-Tekkali, 4-Pathapatnam, 5-Srikakulam, 6-Amadalavalasa and 8-Narasannapeta.
3. VIZIANAGARAM	7-Etcherla, 9-Rajam (SC), 14-Bobbili, 15-Cheepurupalli, 16-Gajapathinagaram, 17-Nellimarla and 18-Vizianagaram.
4. VISAKHAPATNAM	19-Srungavarapukota, 20-Bhimli, 21-Visakhapatnam East, 22-Visakhapatnam South, 23-Visakhapatnam North, 24-Visakhapatnam West and 25-Gajuwaka.
5. ANAKAPALLE	26-Chodavaram, 27-Madugula, 30-Anakapalle, 31-Pendurthi, 32-Yelamanchili, 33-Payakaraopet (SC) and 34-Narsipatnam.
6. KAKINADA	35-Tuni, 36-Prathipadu, 37-Pithapuram, 38-Kakinada Rural, 39-Peddapuram, 41-Kakinada City and 52-Jaggampeta.

(1)	(2)
7. AMALAPURAM (SC)	42-Ramachandrapuram, 43-Mummidivaram, 44-Amalapuram (SC), 45-Razole (SC), 46-Gannavaram (SC), 47-Kothapeta and 47-Mandapeta.
8. RAJAHMUNDY	40-Anaparthi, 49-Rajanagaram, 50-Rajahmundry City, 51-Rajahmundry Rural, 54-Kovvur (SC), 55-Nidadavole and 66-Gopalapuram (SC).
9. NARSAPURAM	56-Achanta, 57-Palacole, 58-Narsapuram, 59-Bhimavaram, 60-Undi, 61-Tanuku and 62-Tadepalligudem.
10. ELURU	63-Unguturu, 64-Denduluru, 65-Eluru, 67-Polavaram (ST), 68-Chintalapudi (SC), 70-Nuzvid and 73-Kaikalur.
11. MACHILIPATNAM	71-Gannavaram, 72-Gudivada, 74-Pedana, 75-Machilipatnam, 76-Avanigadda, 77-Pamaru (SC) and 78-Penamalur.
12. VIJAYAWADA	69-Tiruvuru (SC), 79-Vijayawada West, 80-Vijayawada Central, 81-Vijayawada East, 82-Mylavaram, 83-Nandigama (SC) and 84-Jaggayyapeta.
13. GUNTUR	86-Tadikonda (SC), 87-Mangalagiri, 88-Ponnuru, 91-Tenali, 93-Prathipadu (SC), 94-Guntur West and 95-Guntur East.
14. NARASARAOPET	85-Pedakurapadu, 96-Chilakaluripet, 97-Narasaraopet, 98-Sattenapalli, 99-Vinukonda, 100-Gurajala and 101-Macherla.
15. BAPATLA (SC)	89-Vemuru (SC), 90-Repalle, 92-Bapatla, 104-Parchur, 105-Addanki, 106-Chirala and 107-Santhanuthalapadu (SC).
16. ONGOLE	102-Yerragondapalem (SC), 103-Darsi, 108-Ongole, 110-Kondapi (SC), 111-Markapuram, 112-Giddalur and 113-Kanigiri.
17. NANDYAL	134-Allagadda, 135-Srisailam, 136-Nandikotkur (SC), 138-Panyam, 139-Nandyal, 140-Banaganapalle and 141-Dhone.
18. KURNOOL	137-Kurnool, 142-Pattikonda, 143-Kodumur (SC), 144-Yemmiganur, 145-Mantralayam, 146-Adoni and 147-Alur.
19. ANANTAPUR	148-Rayadurg, 149-Uravakonda, 150-Guntakal, 151-Tadpatri, 152-Singanamala (SC), 153-Anantapur Urban and 154-Kalyandurg.
20. HINDUPUR	155-Raptadu, 156-Madakasira (SC), 157-Hindupur, 158-Penukonda, 159-Puttaparthi, 160-Dharmavaram and 161-Kadiri.
21. KADAPA	124-Badvel (SC), 126-Kadapa, 129-Pulivendla, 130-Kamalapuram, 131-Jammalamadugu, 132-Proddatur and 133-Mydukur.
22. NELLORE	109-Kandukur, 114-Kavali, 115-Atmakur, 116-Kovur, 117-Nellore City, 118-Nellore Rural and 123-Udayagiri.

(1)	(2)
23. TIRUPATI (SC)	119-Sarvepalli, 120-Gudur (SC), 121-Sullurpeta (SC), 122-Venkatagiri, 167-Tirupati, 168-Srikalahasti and 169-Satyavedu (SC).
24. RAJAMPET	125-Rajampet, 127-Kodur (SC), 128-Rayachoti, 162-Thamballapalle, 163-Pileru, 164-Madanapalle and 165-Punganur.
25. CHITTOOR (SC)	166-Chandragiri, 170-Nagari, 171-Gangadhara Nellore (SC), 172- Chittoor, 173-Puthalapattu (SC), 174-Palamaner and 175-Kuppam.

NOTE.—Any reference in Table A to a CT, OG, Mandal and Villages or other territorial division shall be taken to mean the area comprised within that CT, OG, Mandal and Villages or other territorial division as on the 15th day of February, 2004. Further, any reference in Table – A, to wards in municipal areas shall be taken to mean the areas as defined in the Census of India 2001 Report.”.

4. After Schedule XXVI, the following shall be inserted, namely :—

“SCHEDULE - XXVII

TELANGANA

TABLE A—ASSEMBLY CONSTITUENCIES

Sl. No. and Name (1)	Extent of Assembly Constituencies (2)
1—DISTRICT :ADILABAD	
1. Sirpur	Kouthala, Bejjur, Kagaznagar, Sirpur (T) and Dahegaon Mandals.
2. Chennur (SC)	Jaipur, Chennur, Kotapalli and Mandamarri Mandals.
3. Bellampalli (SC)	Kasipet, Tandur, Bellampalli, Bhimini, Nennal and Vemanpalli Mandals.
4. Mancherial	Luxettipet, Mancherial and Dandepalli Mandals.
5. Asifabad (ST)	Kerameri, Wankdi, Sirpur (U), Asifabad, Jainoor, Narnoor, Tiryani and Rebbana Mandals.
6. Khanapur (ST)	Jannaram, Utnoor, Kaddam (Peddur), Khanapur and Indervelly Mandals.
7. Adilabad	Adilabad, Jainath and Bela Mandals.
8. Boath (ST)	Tamsi, Talamadugu, Gudihathnoor, Ichoda, Bazarhathnoor, Boath and Neradigonda Mandals.
9. Nirmal	Dilawarpur, Nirmal, Laxmanchanda, Mamda and Sarangapur Mandals.
10. Mudhole	Kuntala, Kubeer, Bhainsa, Tanoor, Mudhole and Lokeswaram Mandals.
2—DISTRICT : NIZAMABAD	
11. Armur	Nandipet, Armur and Makloor Mandals.
13. Jukkal (SC)	Bodhan Ranjal, Navipet, Yedpalle and Bodhan Mandals.
14. Banswada	Madnoor, Jukkal, Bichkunda, Pitlam and Nizamsagar Mandals.
	Birkoor, Varni, Banswada and Kotgiri Mandals.

(1)	(2)
15. Yellareddy	Yellareddy, Nagareddipet, Lingampet, Tadwai, Gandhari and Sadasivanagar Mandals.
16. Kamareddy	Machareddy, Domakonda Kamareddy and Bhiknoor Mandals.
17. Nizamabad	Nizamabad (M). (Urban)
18. Nizamabad	Jakranpalle and Sirkonda Mandals, Nizamabad Mandal (Rural) (Part), Nizamabad [except Nizamabad (M)], Dichpalle and Dharpalle Mandals.
19. Balkonda	Balkonda, Mortad, Kammarpalle, Bheemgal and Velpur Mandals.

3—DISTRICT : KARIMNAGAR

20. Koratla	Ibrahimpatnam, Mallapur, Koratla and Metpalle Mandals.
21. Jagtial	Raikal, Sarangapur and Jagtial Mandals.
22. Dharmapuri (SC)	Dharmapuri, Dharmaram, Gollapalle, Velgatoor and Pegadapalle Mandals.
23. Ramagundam	Ramagundam Mandal.
24. Manthani	Kamanpur, Manthani, Kataram, Mahadevpur, Mutharam (Mahadevapur), Malharrao and Mutharam (Manthani) Mandals.
25. Peddapalle	Peddapalle, Julapalle, Eligaid, Sultanabad, Odela and Srirampur Mandals.
26. Karimnagar	Karimnagar Mandal.
27. Choppadandi (SC)	Gangadhara, Ramadugu, Choppadandi, Mallial, Kodimial and Boinpalle Mandals.
28. Vemulawada	Vemulawada, Konaraopeta, Chandurthi, Kathlapur and Medipalle Mandals.
29. Sircilla	Yellareddipet, Gambhiraopet, Mustabad and Sircilla Mandals.
30. Manakondur (SC)	Manakondur, Ellanthakunta, Bejjanki, Timmapur (LMD Colony) and Shankarapatnam Mandals.
31. Huzurabad	Veenavanka, Jammikunta, Huzurabad and Kamalapur Mandals.
32. Husnabad	Chigurumamidi, Koheda, Husnabad, Saidapur, Bheemadevarpalle and Elkathurthi Mandals.

4—DISTRICT : MEDAK

33. Siddipet	Siddipet, Chinnakodur and Nangnoor Mandals.
34. Medak	Medak, Papannapet, Ramayampet and Shankarampet-R Mandals.
35. Narayankhed	Kangti, Manoor, Narayankhed, Kalher and Shankarampet- A Mandals.
36. Andole (SC)	Tekmal, Alladurgh, Regode, Raikode, Andole, Pulkal and Munpalle Mandals.
37. Narsapur	Kowdipalle, Kulcharam, Narsapur, Hathnoora, Yeldurthy and Shivampet Mandals.
38. Zahirabad (SC)	Zahirabad, Kohir, Nyalkal and Jharasangam Mandals.

(1)	(2)
39. Sangareddy	Sadasivpet, Kondapur and Sangareddy Mandals.
40. Patancheru	Jinnaram, Patancheru and Ramachandrapuram Mandals.
41. Dubbak	Mirdoddi, Doultabad, Chegunta, Dubbak and Toguta Mandals.
42. Gajwel	Tupran, Kondapak, Gajwel, Jagdevpur, Wargal and Mulug Mandals.
5—DISTRICT: RANGAREDDI	
43. Medchal	Medchal, Shamirpet, Ghatkesar and Keesara (Rural) Mandals.
44. Malkajgiri	Malkajgiri Mandal.
45. Quthbullapur	Quthbullapur Mandal.
46. Kukatpalle	Hyderabad (M Corp.) (Part) Hyderabad (M Corp.)—Ward No.24 (Part) (Area in Balanagar Mandal) Kukatpalle (M) (Part) Kukatpalle (M)—Ward No. 5 to 16.
47. Uppa	Uppal Municipality, Kapra Municipality.
48. Ibrahimpatnam	Hayathnagar, Ibrahimpatnam, Manchal and Yacharam Mandals.
49. Lal Bahadur Nagar	Saroornagar Mandal (Part) Gaddiannaram (CT), Lal Bahadur Nagar (M+OG) (Part) Lal Bahadur Nagar (M)—Ward No. 1 to 10.
50. Maheswaram	Maheswaram and Kandukur Mandals. Saroornagar Mandal (Part) Medbowli, Almasguda, Badangpet, Chintalakunta, Jalpalle, Mamidipalle, Kurmalguda and Nadargul (Rural) Mandals. Hyderabad (OG) (Part) Balapur (OG) —Ward No. 36 Kothapet (OG)—Ward No. 37 Venkatapur (OG)—Ward No. 39 Mallapur (OG)—Ward No. 40 Lal Bahadur Nagar (M+OG) (Part) Lal Bahadur Nagar (M)—Ward No. 11 Nadargul (OG) (Part)—Ward No. 12 Jillalguda (OG)—Ward No. 15 Meerpet (CT).
51. Rajendranagar	Rajendranagar and Shamshabad Mandals.
52. Serilingampally	Serilingampally Mandal Balanagar Mandal (Part) Kukatpally (M) (Part) Kukatpally (M)—Ward No. 1 to 4.
53. Chevella (SC)	Nawabpet, Shankarpalle, Moinabad, Chevella and Shabad Mandals.
54. Pargi	Doma, Gandeed, Kulkacherla, Pargi and Pudur Mandals.
55. Vicarabad (SC)	Marpalle, Mominpet, Vikarabad, dharur and Bantwaram Mandals.
56. Tandur	Peddemul, Tandur, Basheerabad and Yalal Mandals.

(1)	(2)
6—DISTRICT : HYDERABAD	
57. Musheerabad	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No.1
58. Malakpet	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 16 Ward No.17 (Part) Block No. 8 and 9.
59. Amberpet	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 2 Ward No. 3 (Part) Block No. 1 to 4.
60. Khairatabad	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 6 Ward No. 3 (Part) Block No. 5 and 6 Ward No. 8 (Part) Block No. 2. Ward No.5 (Part) Block No. 10.
61. Jubilee Hills	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 8 (Part) Block No. 1, 3 and 4.
62. Sanathnagar	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No.7, 24 (excluding the area in AC—46 Kukatpalle) and 25 to 30.
63. Nampally	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 10 to 12.
64. Karwan	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 9 Ward No. 13 (Part) Block No. 3 to 6.
65. Goshamahall	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 4, 14 and 15 Ward No. 5 (Part) Block No. 1 to 9 Ward No. 13 (Part) Block No. 1 and 2.
66. Charminar	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 20 to 23.
67. Chandrayangutta	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No.18 (Part) Block No. 1 to 3 and 8 to 14.

(1)	(2)
68. Yakutpura	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No.17 (Part) Block No. 1 to 7 Ward No.18 (Part) Block No. 6 and 7.
69. Bahadurpura	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No.18 (Part) Block No. 4 and 5 Ward No.19.
70. Secunderabad	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 33 (Part) Block No. 4 to 7 Ward No. 34 and 35 Osmania University Area.
71. Secunderabad Cantt. (SC)	Hyderabad (M Corp.+OG) (Part) Hyderabad (M Corp.) (Part) Ward No. 31 and 32 Ward No. 33 (Part) Block No.1 to 3 Secunderabad Cantonment Board.
7—DISTRICT : MAHBUBNAGAR	
72. Kodangal	Kodangal, Bomraspet, Kosgi, Doulathabad and Maddur Mandals.
73. Narayanpet	Koilkonda, Narayanpet, Damaragidda and Dhanwada Mandals.
74. Mahbubnagar	Hanwada and Mahbubnagar Mandals.
75. Jadcherla	Jadcherla, Nawabpet, Balanagar and Midjil Mandals.
76. Devarkadra	Bhoothpur, Addakal, Devarkadra, Chinna Chinta Kunta and Kothakota Mandals.
77. Makthal	Makthal, Maganoor, Atmakur, Narva and Utkoor Mandals.
78. Wanaparthy	Wanaparthy, Pebbair, Gopalpeta, Peddamandadi and Ghanpur Mandals.
79. Gadwal	Gadwal, Dharur, Maldakal and Ghattu Mandals.
80. Alampur (SC)	Ieez, Itikyal, Waddepalle, Manopad and Alampur Mandals.
81. Nagarkurnool	Nagarkurnool, Bijinapalle, Thimmajipet, Tadoor and Telkapalle Mandals.
82. Achampet (SC)	Balmoor, Lingal, Amrabad, Achampet, Uppununthala and Vangoor Mandals.
83. Kalwakurthy	Veldanda, Kalwakurthy, Talakondapalle, Amangal and Madgul Mandals.
84. Shadnagar	Kondurg, Farooqnagar, Kothur and Keshampet Mandals.
85. Kollapur	Veepangandla, Kollapur, Peddakothapalle, Kodair and Pangal Mandals.

(1)

(2)

8—DISTRICT : NALGONDA

- | | |
|------------------------|-----------------------------------------------------------------------------------------------|
| 86. Devarakonda (ST) | Chintapalle, Gundlapalle, Chandampet, Devarakonda and Pedda Adisarlapalle Mandals. |
| 87. Nagarjuna Sagar | Gurrampode, Nidamanur, Peddavoora, Anumula and Thripuraram Mandals. |
| 88. Miryalaguda | Vemulapalle, Miryalaguda and Damercherla Mandals. |
| 89. Huzurnagar | Neredcherla, Garidepalle, Huzurnagar, Mattampalli and Mellachervu Mandals. |
| 90. Kodad | Mothey, Nadigudem, Munagala, Chilkur and Kodad Mandals. |
| 91. Suryapet | Atmakur (S), Suryapet, Chivvemla and Penpahad Mandals. |
| 92. Nalgonda | Thipparthi, Nalgonda and Kangal Mandals. |
| 93. Munugode | Munugode, Narayanapur, Marriguda, Nampalle, Chandur and Choutuppal Mandals. |
| 94. Bhongir | Bhongir, Bibinagar, Valigonda and Pochampalle Mandals. |
| 95. Nakrekal (SC) | Ramannapeta, Chityala, Kattangoor, Nakrekal, Kethepalle and Narketpalle Mandals. |
| 96. Thungathurthi (SC) | Thirumalagiri, Thungathurthi, Nuthankal, Jajireddigudem, Sali Gouraram and Mothkur Mandals. |
| 97. Alair | M.Turkapalle, Rajapet, Yadagirigutta, Alair, Gundala, Atmakur (M) and Bommalaramaram Mandals. |

9—DISTRICT : WARANGAL

- | | |
|----------------------------|------------------------------------------------------------------------------------------------------------------|
| 98. Jangaon | Cherial, Maddur, Bachannapet, Narmetta and Jangaon Mandals. |
| 99. Ghanpur (Station) (SC) | Ghanpur (Station), Dharmasagar, Raghunathpalle, Zaffergadh, and Lingalaghanpur Mandals. |
| 100. Palakurthi | Palakurthi, Devaruppula, Kodakandla, Raiparthy and Thorur Mandals. |
| 101. Dornakal (ST) | Narsimhulapet, Maripeda, Kuravi and Dornakal Mandals. |
| 102. Mahabubabad (ST) | Gudur, Nellikudur, Kesamudram and Mahabubabad Mandals. |
| 103. Narsampet | Narsampet, Khanapur, Chennaraopet, Duggondi, Nekkonda and Nallabelly Mandals. |
| 104. Parkal | Parkal, Atmakur, Sangam and Geesugonda Mandals. |
| 105. Warangal West | Warangal Mandal (Part)
Warangal (M Corp.) (Part)
Warangal (M Corp.) - Ward No. 1 to 7, 15, 21 and 23 to 25 |
| 106. Warangal East | Warangal Mandal (Part)
Warangal (M Corp.) (Part)
Warangal (M Corp.) - Ward No. 8 to 14, 16 to 20 and 22. |
| 107. Waradhanapet (SC) | Hasanparthy, Hanamkonda, Parvathagiri and Wardhanna Pet Mandals. |
| 108. Bhupalpalle | Mogullapalle, Chityal, Bhupalpalle, Ghanpur (Mulug), Regonda and Shayampet Mandals. |
| 109. Mulug (ST) | Venkatapur, Eturnagaram, Mangapet, Tadvai, Kothaguda, Govindaraopet and Mulug Mandals. |

(1)	(2)
10—DISTRICT : KHAMMAM	
110.Pinapaka (ST)	Pinapaka, Manuguru, Gundala, Burgampahad and Aswapuram Mandals.
111. Yellandu (ST)	Kamepalle, Yellandu, Bayyaram, Tekulapalle and Garla Mandals.
112. Khammam	Khammam Mandal.
113. Palair	Thirumalayapalem, Kusumanchi, Khammam Rural and Nelakondapalle Mandals.
114. Madhira (SC)	Mudigonda, Chinthakani, Bonakal, Madhira and Yerrupalem Mandals.
115. Wyra (ST)	Enkuru, Konijerla, Singareni, Julurpadu and Wyra Mandals.
116. Sathupalle (SC)	Sathupalle, Penuballi, Kallur, Tallada and Vemsoor Mandals.
117. Kothagudem	Kothagudem and Palwancha Mandals.
118. Aswaraopeta (ST)	Mulikalapalle, Velairpadu, Kukunoor, Chandrugonda, Aswaraopeta and Dammipeta Mandals.
119. Bhadrachalam (ST)	Wa zeed, Venkatapuram, Cherla, Dummugudem, Bhadrachalam, Kunavaram, Chintur and V.R. Puram Mandals.

TABLE B – PARLIAMENTARY CONSTITUENCIES

Sr. No. and Name (1)	Extent of Parliamentary Constituencies (2)
1. ADILABAD (ST)	1-Sirpur, 5-Asifabad (ST), 6-Khanapur (ST), 7-Adilabad, 8-Boath (ST), 9-Nirmal and 10-Mudhole.
2. PEDDAPALLE (SC)	2 Chennur (SC), 3 Bellampalle (SC), 4 Mancherial, 22 Dharmapuri (SC), 23 Ramagundam, 24 Manthani and 25 Peddapalle.
3. KARIMNAGAR	26-Karimnagar, 27-Choppadandi (SC), 28-Vemulawada, 29-Sircilla, 30-Manakondur (SC), 31-Huzurabad and 32-Husnabad.
4. NIZAMABAD	1-Armur, 2- Bodhan, 3-Nizamabad (Urban), 4- Nizamabad (Rural), 5 -Balkonda, 6 -Koratla and 7-Jagtial.
5. ZAHIRABAD	13 Jukkal (SC), 14 Banswada, 15 Yellareddy, 16 Kamareddy, 35 Narayankhed, 36 Andole (SC) and 38 Zahirabad (SC).
6. MEDAK	8-Siddipet, 9-Medak, 10-Narsapur, 11-Sangareddy, 12-Patancheru, 13-Dubbak and 14 -Gajwel.
7. MALKAJGIRI	15- Medchal, 16 -Malkajgiri, 17-Qutbullapur, 18 -Kukatpalle, 19-Uppal, 20-Lal Bahadur Nagar and 21-Secunderabad Cantt. (SC).
8. SECUNDERABAD	57 Musheerabad, 59 Amberpet, 60 Khairatabad, 61 Jubilee Hills, 62 Sanathnagar, 63 Nampally and 70 Secunderabad.
9. HYDERABAD	22-Malakpet, 23-Karwan, 24-Goshamahall, 25-Charminar, 26-Chandrayangutta, 27-Yakutpura and 28-Bahadurpura.

(1)	(2)
10. CHEVELLA	29-Maheswaram, 30-Rajendranagar, 31-Serilingampally, 32-Chevella (SC), 33-Pargi, 34-Vicarabad (SC) and 35-Tandur.
11. MAHBUBNAGAR	36-Kodangal, 37- Narayanpet, 38-Mahbubnagar, 39-Jadcherla, 40 -Devarkadra, 41 -Makthal and 42- Shadnagar.
12. NAGARKURNOOL (SC)	78-Wanaparthi, 79-Gadwal, 80-Alampur (SC), 81-Nagarkurnool, 82-Achampet (SC), 83-Kalwakurthy and 85-Kollapur.
13. NALGONDA	43-Devarakonda(ST), 44-Nagarjuna Sagar, 45- Miryalaguda, 46- Huzurnagar, 47-Kodad, 48-Suryapet and 49-Nalgonda.
14. BHONGIR	48-Ibrahimpattam, 93-Munugode, 94-Bhongir, 95-Nakrekal (SC), 96-Thungathurthi (SC), 97-Alair and 98-Jangoan.
15. WARANGAL(SC)	50-Ghanpur (Station) (SC), 51-Palakurthi, 52-Parkal, 53-Warangal West, 54-Warangal East, 55-Wardhannapet (SC) and 56-Bhupalpalle.
16. MAHABUBABAD (ST)	101-Dornakal (ST), 102-Mahabubabad (ST), 103-Narsampet, 109 Mulug (ST), 110-Pinapaka (ST), 111-Yellandu (ST) and 119-Bhadrachalam (ST).
17. KHAMMAM	57-Khammam, 58-Palair, 59-Madhira (SC), 60-Wyra (ST), 61- Sathupalle (SC), 62-Kothagudem and 63-Aswaraopeta (ST).

NOTE.— Any reference in Table A to a CT, OG, Mandal and Villages or other territorial division shall be taken to mean the area comprised within that CT, OG, Mandal and Villages or other territorial division as on the 15th day of February, 2004. Further, any reference in Table – A, to wards in municipal areas shall be taken to mean the areas as defined in the Census of India 2001 Report.”.

THE THIRD SCHEDULE

(See section 24)

PART I

MODIFICATION IN THE DELIMITATION OF COUNCIL CONSTITUENCIES
(ANDHRA PRADESH) ORDER, 2006

For the Table appended to the Delimitation of Council Constituencies (Andhra Pradesh) Order, 2006, the following Table shall be substituted, namely :—

“TABLE

Name of Constituency	Extent of Constituency	Number of seats
<i>Local Authorities' Constituencies</i>		
1. Srikakulam Local Authorities	Srikakulam	1
2. Vizianagaram Local Authorities	Vizianagaram	1
3. Visakhapatnam Local Authorities	Visakhapatnam	2
4. East Godavari Local Authorities	East Godavari	2
5. West Godavari Local Authorities	West Godavari	2
6. Krishna Local Authorities	Krishna	2
7. Guntur Local Authorities	Guntur	2
8. Prakasam Local Authorities	Prakasam	1
9. Nellore Local Authorities	Nellore	1
10. Chittoor Local Authorities	Chittoor	2
11. Kadapa Local Authorities	Kadapa	1
12. Anantapur Local Authorities	Anantapur	2
13. Kurnool Local Authorities	Kurnool	1
<i>Graduates' Constituencies</i>		
1. Srikakulam-Vizianagaram-Visakhapatnam Graduate.	Srikakulam, Vizianagaram, Visakhapatnam.	1
2. East-West Godavari Graduates	East-West Godavari	1
3. Krishna-Guntur Graduates	Krishna-Guntur	1
4. Prakasam-Nellore-Chittoor Graduates	Prakasam-Nellore-Chittoor	1
5. Kadapa-Anantapur-Kurnool Graduates	Kadapa-Anantapur-Kurnool	1 ”.
<i>Teacher's Constituencies</i>		
1. Srikakulam-Vizianagaram-Visakhapatnam Teachers.	Srikakulam, Vizianagaram, Visakhapatnam.	1
2. East-West Godavari Teachers	East-West Godavari	1
3. Krishna-Guntur Teachers	Krishna-Guntur	1
4. Prakasam-Nellore-Chittoor Teachers	Prakasam-Nellore-Chittoor	1
5. Kadapa-Anantapur-Kurnool Teachers	Kadapa-Anantapur-Kurnool	1 ”.

PART II

1. This Order may be called the Delimitation of Council Constituencies (Telangana) Order, 2014.

2. The constituencies into which the State of Telangana shall be divided for the purpose of elections to the Legislative Council of the State from (a) the local authorities' constituencies, (b) the graduates' constituencies, and (c) the teachers' constituencies in the said State, the extent of each such constituency and the number of seats allotted to each such constituency shall be as shown in the following Table :—

TABLE

Name of Constituency	Extent of Constituency	Number of seats
<i>Local Authorities' Constituencies</i>		
1. Mahbubnagar Local Authorities	Mahbubnagar	1
2. Ranga Reddy Local Authorities	Ranga Reddy	1
3. Hyderabad Local Authorities	Hyderabad	2
4. Medak Local Authorities	Medak	1
5. Nizamabad Local Authorities	Nizamabad	1
6. Adilabad Local Authorities	Adilabad	1
7. Karimnagar Local Authorities	Karimnagar	1
8. Warangal Local Authorities	Warangal	1
9. Khammam Local Authorities	Khammam	1
10. Nalgonda Local Authorities	Nalgonda	1
<i>Graduates' Constituencies</i>		
1. Mahbubnagar-Ranga Reddy-Hyderabad Graduates	Mahbubnagar-Ranga Reddy Hyderabad	1
2. Medak-Nizamabad-Adilabad-Karimnagar Graduates	Medak-Nizamabad-Adilabad-Karimnagar	1
3. Warangal-Khammam-Nalgonda Graduates	Warangal-Khammam-Nalgonda	1
<i>Teacher's Constituencies</i>		
1. Mahbubnagar-Ranga Reddy-Hyderabad Teachers	Mahbubnagar-Ranga Reddy Hyderabad	1
2. Medak-Nizamabad-Adilabad-Karimnagar Teachers	Medak-Nizamabad-Adilabad-Karimnagar	1
3. Warangal-Khammam-Nalgonda Teachers	Warangal-Khammam-Nalgonda	1

THE FOURTH SCHEDULE

[See section 22(2)]

List of members of the Legislative Council of successor States of Andhra Pradesh and Telangana :—

Legislative Council of Andhra Pradesh :

Members of Local Authorities Constituencies :

(1) Ilapuram Venkaiah, (2) Pothula Rama Rao, (3) D.V. Suryanarayana Raju, (4) Narayana Reddy Chadipiralla, (5) Boddu Bhaskara Ramarao, (6) Angara Ramamohan, (7) Dr. DesaiThippa Reddy, M.S., (8) Meka Seshu Babu, (9) Peerukatla Viswa Prasada Rao, (10) Narayana Reddy Vakati, (11) Mettu Govinda Reddy.

Members of Graduates' Constituencies :

(1) Boddu Nageswara Rao, (2) Kalidindi Ravi Kiran Varma, (3) M.V.S. Sarma, (4) Yandapalli Srinivasulu Reddy, (5) Dr. Geyanand M.

Members of Teachers' Constituencies :

(1) Gade Srinivasulu Naidu, (2) K.V.V. Satyanarayana Raju, (3) K.S. Lakshmana Rao, (4) Balasubrahmanyam Vitapu, (5) Bachala Pullaiah.

Nominated Members.

(1) Jupudi Prabhakar Rao, (2) Balashali Indira, (3) Dr. A. Chakrapani, (4) R. Reddeppa Reddy, (5) Shaik Hussain.

Members elected from Legislative Assembly Constituencies.

(1) K. Veerabhadra Swamy, (2) A. Lakshmi Siva Kumari, (3) R. Padma Raju, (4) Paladugu Venkata Rao, (5) Mohammad Jani, (6) N. Rajakumari, (7) Y. Ramakrishnudu, (8) S. Basava Punnaiah, (9) A. Appa Rao, (10) P.J. Chandrasekhara Rao, (11) B. Changal Rayudu, (12) P. Samanthakamani, (13) C. Ramachandraiah, (14) S.V. Satish Kumar Reddy, (15) G.Thippe Swamy, (16) M.Sudhakar Babu.

Legislative Council of Telangana :

Members of Local Authorities Constituencies.

(1) Nethi Vidya Sagar, (2) V. Bhoopal Reddy, (3) Arikala Narsa Reddy, (4) Potla Nageswar Rao, (5) T. Bhanu Prasad Rao, (6) S. Jagadeeshwar Reddy, (7) Sri M.S. Prabhakar Rao, (8) Sri Patnam Narendra Reddy, (9) Syed Aminul Hasan Jafri.

Members of Graduates' Constituencies :

(1) Dr. K. Nageshwar, (2) Kapilavai Dileep Kumar, (3) K. Swamy Goud.

Members of Teachers' Constituencies.

(1) Pathuri Sudhakar Reddy, (2) Poola Ravinder, (3) Katepally Janardhan Reddy.

Nominated Members.

(1) D. Rajeshwar Rao, (2) Farooq Hussain, (3) B. Venkata Rao.

Elected by Members of Legislative Assembly

(1) K.R. Amos, (2) Mohammad Ali Shabbir, (3) K. Yadava Reddy, (4) V. Gangadhar Goud, (5) T. Santosh Kumar, (6) N. Rajalingam, (7) D. Srinivas, (8) M. Ranga Reddy, (9) P. Sudhakar Reddy, (10) B. Lakshmi Narayana, (11) Mohammad Saleem, (12) B. Venkateswarlu, (13) Peer Shabbir Ahmed, (14) Mohammad Mahmood Ali, (15) Syed Altaf Hyder Razvi.

THE FIFTH SCHEDULE

(See section 28)

In the Constitution (Scheduled Castes) Order, 1950,—

(1) in paragraph 2, for the figures “XXIV”, the figures “XXV” shall be substituted ;

(2) in the Schedule,—

(a) in PART I relating to Andhra Pradesh, item number 9, shall be omitted ;

(b) after Part XXIV, the following Part shall be inserted, namely :—

“PART XXV.—Telangana

1. Adi Andhra
2. Adi Dravida
3. Anamuk
4. Aray Mala
5. Arundhatiya
6. Arwa Mala
7. Bariki
8. Bavuri
9. Beda (Budga) Jangam
10. Bindla
11. Byagara, Byagari
12. Chachati
13. Chalavadi
14. Chamar, Mochi, Muchi, Chamar-Ravidas, Chamar-Rohidas
15. Chambhar
16. Chandala
17. Dakkal, Dokkalwar
18. Dandasi
19. Dhor
20. Dom, Dombara, Paidi, Pano
21. Ellamalawar, Yellammalawandlu
22. Ghasi, Haddi, Relli, Chanchandi
23. Godari
24. Gosangi
25. Holey
26. Holey Dasari
27. Jaggali
28. Jambuvulu
29. Kolupulvandlu, Pambada, Pambanda, Pambala
30. Madasi Kuruva, Madari Kuruva
31. Madiga
32. Madiga Dasu, Mashteen
33. Mahar
34. Mala, Mala Ayawaru
35. Mala Dasari
36. Mala Dasu
37. Mala Hannai

38. Malajangam
39. Mala Masti
40. Mala Sale, Nethani
41. Mala Sanyasi
42. Mang
43. Mang Garodi
44. Manne
45. Mashti
46. Matangi
47. Mehtar
48. Mitha Ayyalvar
49. Mundala
50. Paky, Moti, Thoti
51. Pamidi
52. Panchama, Pariah
53. Relli
54. Samagara
55. Samban
56. Sapru
57. Sindhollu, Chindollu
58. Yatala
59. Valluvan.”.

THE SIXTH SCHEDULE

(See section 29)

AMENDMENTS TO THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

In the Constitution (Scheduled Tribes) Order, 1950,—

(1) in paragraph 2, for the figures “XXII”, the figures “XXIII” shall be substituted ;

(2) in the Schedule,—

(a) in PART I relating to Andhra Pradesh,—

(i) in item number 20, the brackets and words “(excluding Adilabad, Hyderabad, Karimnagar, Khammam, Mahbubnagar, Medak, Nalgonda, Nizamabad and Warangal districts)” shall be omitted ;

(ii) item number 30 and the entries relating thereto shall be omitted ;

(b) after Part XXIV, the following Part shall be inserted, namely :—

“PART XXV.—Telangana

1. Andh, Sadhu Andh
2. Bagata
3. Bhil
4. Chenchu
5. Gadabas, Bodo Gadaba, Gutob Gadaba, Kallayi Gadaba, Parangi Gadaba, Kathera Gadaba, Kapu Gadaba
6. Gond, Naikpod, Rajgond, Koitur
7. Goudu (in the Agency tracts)
8. Hill Reddis
9. Jatapus

10. Kammara
11. Kattunayakan
12. Kolam, Kolawar
13. Konda Dhoras, Kubi
14. Konda Kapus
15. Kondareddis
16. Kondhs, Kodi, Kodhu, Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs, Yenity Kondhs, Kuvinga
17. Kotia, Benthoriya, Bartika, Dulia, Holya, Sanrona, Sidhopaiko
18. Koya, Doli Koya, Gutta Koya, Kammara Koya, Musara Koya, Oddi Koya, Pattidi Koya, Rajah, Rasha Koya, Lingadhari Koya (ordinary), Kottu Koya, Bhine Koya, Rajkoya
19. Kulia
20. Manna Dhora
21. Mukha Dhora, Nooka Dhora
22. Nayaks (in the Agency tracts)
23. Pardhan
24. Porja, Parangiperja
25. Reddi Dhoras
26. Rona, Rena
27. Savaras, Kapu Savaras, Maliya Savaras, Khutto Savaras
28. Sugalis, Lambadis, Banjara
29. Thoti (in Adilabad, Hyderabad, Karimnagar, Khammam, Mahbubnagar, Medak, Nalgonda, Nizamabad and Warangal districts)
30. Yenadis, Chella Yenadi, Kappala Yenadi, Manchi Yenadi, Reddi Yenadi
31. Yerukulas, Koracha, Dabba Yerukula, Kunchapuri Yerukula, Uppu Yerukula
32. Nakkala, Kurvikaran.”.

THE SEVENTH SCHEDULE

(See section 52)

LIST OF FUNDS

A. *Provident Funds, Pension Funds, Insurance Funds*

1. Contributory Provident Fund Work-charged 50% N.R.S.
2. All India Service Provident Fund.
3. Deposits of Zilla Praja Parishads out of Provident Fund contribution.
4. General Provident Fund (Regular).
5. Andhra Pradesh Class IV Govt. Servants Family Pension Fund.
6. Andhra Pradesh State Employees Family Benefit Fund.
7. Andhra Pradesh State Government Life Insurance Fund.
8. Compulsory Savings Scheme.
9. 50% D. A., G.P.F.N.R.S.
10. G.P.F. Class-IV.
11. G.P.F. Work Charged 50% N.R.S.
12. C.P.F. work-charged Establishment.
13. Electricity Department Provident Fund.
14. ICS Provident Fund.

15. Compulsory Savings Scheme for University Employees.
16. Postal Insurance and Life Annuity Fund.
17. Central Government Employees Group Insurance Scheme.
18. I.A.S. Group Insurance.
19. *Andhra Pradesh State Government Employees Contributory Pension Scheme—*
 - (i) Employees Contribution
 - (ii) Government Contribution.
20. *Andhra Pradesh Aided Educational Institution Employees Contributory Pension Scheme—*
 - (i) Employees Contribution
 - (ii) Government Contribution
21. Group Insurance for Panchayat Raj Employees
22. Group Insurance Market Committee
23. State Government Employees Group Janata Personal Accident Policy
24. Employees Welfare Fund (Andhra Pradesh State)
- B. *Sinking Fund, Guarantee Resumption Fund, Reserve Funds*
 25. Sinking Fund —Investment Account
 26. Guarantee Redemption Fund—Investment Account
 27. *Depreciation Reserve Fund—Government Commercial Departments and Undertakings—*
 - (i) Alcohol Factory, Narayanaguda
 - (ii) Alcohol Factory, Kamareddy
 - (iii) Andhra Pradesh Text Book Press
 - (iv) Government Distillery, Chagallu
 - (v) Government Ceramic Factory, Gudur
 - (vi) Government Block Glass Factory, Gudur.
 28. *Industrial Development Funds—*
 - (i) Reserve Fund for Protection of Sugar Industries
 - (ii) Sericulture Development Fund.
 29. Electricity Development Funds—Special Reserve Fund—Electricity.
 30. *Other Development and Welfare Fund—*
 - (i) Funds for Development Schemes
 - (ii) Industrial Plantation Fund
 - (iii) Andhra Pradesh State Distilleries
 - (iv) Andhra Pradesh Distilleries Pollution Control
 31. Depreciation Reserve Fund of Government Press
 32. Depreciation Reserve Fund of Water Works
 33. State Development Subsidy Fund for Small and Marginal Formers
 34. Industrial Research and Development Fund—Main Account
 35. Industrial Research and Development Fund—Investment Account
 36. Funds for Development Schemes—Investment Account
 37. Andhra Pradesh Distilleries and Breweries
 38. Amount with RBI in GRF Current Account
 39. Security Adjustment Reserve—Investment Account

C. Other Funds

40. Development Funds for Educational Purposes
41. K.G. and Pennar Drainage Cess Fund
42. C.M. Relief Fund
43. Municipal Environmental Scheme Fund
44. Zilla Praja Parishad Funds
45. Subventions from Central Road Fund
46. Deposits of Police Funds
47. Deposits of Andhra Pradesh Social Welfare Fund
48. Development of Mineral Resources and Technology Upgradation Fund
49. Village Panchayat Funds
50. Mandala Praja Parishad Funds
51. Market Committee Funds
52. Thrift Fund cum Savings and Security Schemes for Weavers
53. State Agriculture Credit Stabilisation Fund
54. *Andhra Pradesh State Government Employees Contributory Pension Scheme*
 - (i) Employees Contribution
 - (ii) Government Contribution
55. *Deposits on Employees Welfare Fund and Matching contribution equivalent to the interest earned on the Employees Welfare Fund*
 - (i) Loans to Government Employees
 - (ii) Loans to Panchayat Raj Employees
 - (iii) Loans to Municipal Corporation/Municipal Employees
 - (iv) Remuneration to the employees working in the Employees Welfare Fund and other connected expenditure like Stationery, Stamps, Contingent items, etc.
56. Deposits of Andhra Pradesh Building and Other Construction Workers Welfare Board.
57. Natural Calamities Unspent Margin Money Fund
58. Development Funds for Agricultural Purposes
59. Zamindari Abolition Fund
60. *Ethyl Alcohol Storage Facilities Fund—*
 - (i) Andhra Pradesh Government Power Alcohol Factory, Bodhan
 - (ii) Andhra Pradesh Government Power Alcohol Factory, Chagallu
61. Security Adjustment Reserve
62. Andhra Pradesh Crop Insurance Fund
63. Andhra Pradesh Comprehensive Crop Insurance Scheme
64. Religious Charitable Endowment Funds
65. *Depreciation Reserve Fund of Hydro—Thermal Electricity Schemes*
 - (i) Depreciation Reserve Fund of Hydro—Thermal Electricity Schemes
 - (ii) Machkund
 - (iii) Tungabhadra
66. State Renewal Fund
67. Andhra Pradesh Rural Development Fund
68. Corpus Fund for upgradation of public libraries
69. General Reserve Funds of Government Commercial Departments/Undertakings.

THE EIGHTH SCHEDULE

(See section 59)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

1. Subject to the adjustments mentioned in paragraph 3, each of the successor States shall, in respect of pensions granted before the appointed day by the existing State of Andhra Pradesh, pay the pensions drawn in its treasuries.

2. Subject to the said adjustments, the liability in respect of pensions of officers serving in connection with the affairs of the existing State of Andhra Pradesh who retire or proceed on leave preparatory to retirement before the appointed day, but whose claims for pensions are outstanding immediately before that day, shall be the liability of the State of Andhra Pradesh.

3. There shall be computed, in respect of the period commencing on the appointed day and ending on such date after the appointed day, as may be fixed by the Central Government and in respect of each subsequent financial year, the total payments made to the two successor States in respect of pensions referred to in paragraphs 1 and 2. The total representing the liability of the existing State of Andhra Pradesh in respect of pensions and other retirement benefits shall be apportioned between the successor States on the basis of population ratio and any successor State paying more than its due share shall be reimbursed the excess amount by the other successor State paying less.

4. The liability of the existing State of Andhra Pradesh in respect of pension rolls granted before the appointed day and drawn in any area outside the territories of the existing State shall be the liability of the State of Andhra Pradesh subject to adjustments to be made in accordance with paragraph 3 as if such pensions had been drawn in any treasury in the State of Andhra Pradesh under paragraph 1.

5. (1) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs of the existing State of Andhra Pradesh and retiring on or after that day, shall be that of the successor State granting him the pension and other retirement benefits ; but the portion of the pension and other retirement benefits attributable to the service of any such officer before the appointed day in connection with the affairs of the existing State of Andhra Pradesh shall be allocated between the successor States on the basis of population ratio, and the Government granting the pension shall be entitled to receive from the other successor State its share of the liability.

(2) If any such officer was serving after the appointed day in connection with the affairs of more than one successor State other than the one granting the pension shall reimburse to the Government by which the pension is granted an amount which bears to the portion of the pension attributable to his service after the appointed day the same ratio as the period of his qualifying service after the appointed day under the reimbursing State bears to the total qualifying service of such officer after the appointed day reckoned for the purposes of pension.

6. Any reference in this Schedule to a pension shall be construed as including a reference to the commuted value of the pension.

THE NINTH SCHEDULE

(See sections 68 and 71)

LIST OF GOVERNMENT COMPANIES AND CORPORATIONS

Sl. No. (1)	Name of Government Company (2)	Address (3)
1.	Andhra Pradesh State Seeds Development Corporation Ltd.,	S-10-193, 2nd Floor, HACA Bhavan, Opp. Public Gardens, Hyderabad 500 004.
2.	Andhra Pradesh State Agro Industrial Development	504, Hermitage Office Corporation Ltd., Complex, Hill Fort Road, Hyderabad 500 004.
3.	Andhra Pradesh State Warehousing Corporation.,	Warehousing Sadan, 2nd Floor, Behind Gandhi Bhavan, Nampally, Hyderabad- 500 001.
4.	Andhra Pradesh State Civil Supplies Corporation Ltd.,	6-3-655/1/A, Civil Supplies Bhavan, Somajiguda, Hyderabad-500 082.
5.	Andhra Pradesh Genco,	Vidyut Soudha, Khairathabad, Hyderabad-500 004.
6.	Andhra Pradesh Transco,	Vidyut Soudha, Khairathabad, Hyderabad-500 004.
7.	Singareni Collieries Company Ltd.,	Singareni Bhavan, Macharmanzil, Redhills, Hyderabad-500 004.
8.	NREDCAP	Pisgha Complex, Nampally, Hyderabad-500 001.
9.	Andhra Pradesh Forest Development Corporation Ltd.,	UNI Building, 3rd Floor, A.C.Guards, Hyderabad-500 004.
10.	Andhra Pradesh State Film and Television Theatre Development Corporation Ltd.,	10-2-1, FDC Complex, A.C.Guards, Hyderabad 500 004.
11.	Andhra Pradesh Medical Services Infrastructure Development Corporation,	APMSIDC Building, DM and HS Campus, Sulthan Bazar, Hyderabad-500 095.
12.	Andhra Pradesh State Police Housing Corporation Ltd.,	DIG Office, Saifabad, Hyderabad 500 004.
13.	Andhra Pradesh State Housing Corporation Ltd.,	3-6-184, Street No.17, Urdu Hall Lane, Himayat Nagar, Hyderabad.
14.	Andhra Pradesh Housing Board,	Gruhakalpa, M.J.Road, Nampally, Hyderabad-500 028.
15.	Andhra Pradesh Technologies Services Ltd.,	B.R.K. Buildings, Tank Bund Road, Hyderabad.
16.	Andhra Pradesh Mineral Development Corporation Ltd.,	Rear Block, 3rd Floor, HMWSSB Premises, Khairathabad, Hyderabad-500 004.

(1)	(2)	(3)
17.	Andhra Pradesh Industrial Infrastructure Corporation Ltd.,	5-9-58/B, 6th Floor, Prishrama Bhavan, Basheerbagh, Hyderabad-500 004.
18.	Andhra Pradesh Industrial Development Corporation Ltd.,	5-9-58/B, 6th Floor, Prishrama Bhavan, Basheerbagh, Hyderabad-500 004.
19.	Andhra Pradesh State Finance Corporation,	5-9-194, Chirag Ali Lane, Abids, Hyderabad-500 001.
20.	Leather Industries Development Corporation of Andhra Pradesh (LIDCAP),	5-77/27, Darga Hussaini Shaw Ali, Golkonda Post, Hyderabad-500 008.
21.	Andhra Pradesh Handicraft Development Corporation Ltd.,	Hasthakala Bhavan, Musheerabad X Roads, Hyderabad.
22.	Andhra Pradesh State Trade Promotion Corporation Ltd. (APTPC),	6-10-74, Fathe Maidhan Road, Shakar Bhavan, Hyderabad-500 004.
23.	Andhra Pradesh State Irrigation Development Corporation Ltd.,	8-2-674/2/B, Road No.13, Banjara Hills, Hyderabad-500 034.
24.	Andhra Pradesh State Minorities Finance Corporation Ltd.,	5th Floor, A.P. State Haj House, Opp. Public Gardens, Nampally, Hyderabad-500 001.
25.	Andhra Pradesh Beverages Corporation Ltd.,	4th Floor, Prohibition and Excise Complex, 9 and 10 Eastern, M.J.Road, Nampally,
26.	Andhra Pradesh State Road Transport Corporation,	Bus Bhavan, Musheerabad X Roads, Hyderabad.
27.	Andhra Pradesh Foods,	IDA, Nacharam, Hyderabad-500 076.
28.	Andhra Pradesh State Tourism Development Corporation Ltd.,	3-5-891, A.P. Tourism House, Himayath Nagar, Hyderabad.
29.	Andhra Pradesh Rajiv Swagruha Corporation Ltd.,	A-06, Sahabhavan, Bandlaguda, GSI (Post), Hyderabad-500 068.
30.	Eastern Power Distribution Corporation Ltd.,	Corporate Office, Near Guruwar Junction, P and T Seethammadhara Colony, Vishakapatnam-530 013.
31.	Southern Power Distribution Corporation Ltd.,	# 1-13-65/A, Srinivasapuram, Tirupati-517503.
32.	Central Power Distribution Corporation Ltd.,	6-1-50, Corporate Office, Mint Compound, Hyderabad-500 063.
33.	Northern Power Distribution Corporation Ltd.,	1-1-478, Chaitniyapuri Colony, Near RES Petrol Pump, Warangal.

(1)	(2)	(3)
34.	Andhra Pradesh Heavy Machinery and Engineering Ltd.,	Regd. Office and Factory, Kondapally-521228. Krishna District.
35.	Vizag Apparel Park for Export Ltd.,	C-Block, 4th Floor, BRK Bhavan, Hyderabad-500 063.
36.	Andhra Pradesh State Christian (Minorities) Finance Corporation,	6-2-41, Flat No. 102, Moghal Emami Mansion, Opp. Shadan College, Khairathabad, Hyderabad-500 004.
37.	Hyderabad Metro Rail Ltd.,	Metro Rail Bhavan, Saifabad, Hyderabad-500 004.
38.	Andhra Pradesh Urban Finance Infrastructure Development Corporation Ltd.,	2nd Floor, E and PH Complex, Kashana Building, AC Guards, Hyderabad.
39.	Infrastructure Development Corporation of Andhra Pradesh (INCAP),	10-2-1, 3rd Floor, FDC Complex, AC Guards, Hyderabad-500 028.
40.	Overseas Manpower Company of Andhra Pradesh Ltd. (OMCAP),	ITI Mallepally Campus, Vijayanagar Colony, Hyderabad-500 057.
41.	Andhra Pradesh Power Finance Corporation Ltd.,	L-Block, 4th Floor, Andhra Pradesh Secretariat, Hyderabad.
42.	Andhra Pradesh Roads Development Corporation,	R and B Office, Beside Mahaveer, AC Guards, Hyderabad-500 057.
43.	Andhra Pradesh Tribal Power Company Ltd. (TRIPCO),	4th Floor, Damodharam Sanjivaiah Sankeshamma Bhavan, Masab Tank, Hyderabad.
44.	Andhra Pradesh Tribal Mining Company Ltd. (TRIMCO),	4th Floor, Damodharam Sanjivaiah Sankeshamma Bhavan, Masab Tank, Hyderabad.
45.	Andhra Pradesh Cooperative Oil seeds Growers Federation Limited.	Parishrama Bhavan, 9th Floor, Hyderabad.
46.	Andhra Pradesh Marketing Federation Ltd.	Haka Bhavan, Hill Fort Road, Hyderabad.
47.	Deccan Infrastructure and Land Holdings Ltd.	C/o Andhra Pradesh Housing Board, Ground Floor, Gruha Kalpa, MJ road, Nampally, Hyderabad-500001.
48.	Andhra Pradesh Aviation Corporation Ltd.	II Floor, Container, Floride Station, Air Corporation Complex, Begumpet 16.

(1)	(2)	(3)
49.	Andhra Pradesh Gas Infrastructure Corporation (P) Ltd.	5-9-58/B, Parishrama Bhavan, II Floor, Fathe Maidan Road, Basheerbagh, Hyderabad-14.
50.	Andhra Pradesh Gas Distribution Corporation Ltd.	5-9-58/B, Parishrama Bhavan, II Floor, Fathe Maidan Road, Basheerbagh, Hyderabad-14.
51.	Andhra Pradesh Khadi and Village Industries Board (APKVIB).	Mehadipatnam Road, Masab Tank, Humayun Nagar, Hyderabad.
52.	Andhra Pradesh State Handloom Weavers Co-operative Society Ltd. (APCO)	Road No. 16, Industrial Development Area, Chinthal, Hyderabad-55.
53.	Andhra Pradesh Textile Development Corporation (APTEX).	4th Floor, BRKR Bhavan, C Block, Tankbundroad, Saifabad, Hyderabad-4.
54.	Nizam Sugars Ltd. (NSL).	6-3-570/1, 201, Diamond Block, Rockdale Compound, Somajiguda, Errammanjil, Hyderabad-82.
55.	Andhra Pradesh Food Processing Society (APFPS).	1st Floor, BRKR Bhavan, Tank Bund Road, Hyderabad-63.
56.	Krishnapatnam International Leather Complex Pvt. Ltd. (KPILC)	5th Floor, Parishrama Bhavan, Basheerbagh, Hyderabad-4.
57.	Andhra Pradesh State Federation of Co-operative Sugar Factories Ltd. (APSFCS).	Chirag Ali Lane, Hyderabad-500001.
58.	Textile Park, Pasha Mailaram	Pasha Mailaram, Medak District.
59.	Andhra Pradesh Women's Co-operative Finance Corporation Ltd.	Door No. 1335/H, Road No. 45, Jubilee Hills, Hyderabad-500 033.
60.	Andhra Pradesh Vikalangula Co-operative Corporation	AP Vikalangula Sankshema Bhavan, Nalgonda X Roads, Malkpet.
61.	Andhra Pradesh Water Resources Development Corporation	IV Floor, Jalsoudha Building Erram Manzil, Hyderabad.
62.	Andhra Pradesh State Property Tax Board (APSPTB), Hyderabad.	AC Guards, Masabtank, Hyderabad.
63.	Andhra Pradesh Toddy Tappers Cooperative Finance Corporation Ltd. (AP Geetha Paarisharamika Sahakara Arthika Samkhsema Samstha), Narayanagunda, Hyderabad.	3-5-1089, Beside Deepak Cinema Theater, Narayanguda, Hyderabad-29.
64.	Society for Employment, Promotion and Training in Twin Cities (SETWIN).	Azmath Jah Palace, Purani Haveli, Hyderabad-500 002.

(1)	(2)	(3)
65.	Sports Authority of Andhra Pradesh (SAAP)	Lal Bahadur Stadium, Hyderabad-500 001. AP. INDIA.
66.	Andhra Pradesh Society for Training and Employment Promotion (APSTEP) to be added	Director of Youth Services and MD, APSTEP, Behind Boats Club, Secunderabad.
67.	State Institute of Hotel Management Catering Technology, Tirupathi	Near SV Zoo Park, Beside AP Tourism Transport, Peler village, Tirupathi, Chittoor Distt. 517507
68.	State Institute of Hotel Management Catering Technology, Medak	Kohir X road, Kaveri Village, Medak Distt. 502321
69.	Andhra Pradesh Meat Development Corporation, Hyderabad	10-2-289/129, Shanthinagar, Hyderabad-28
70.	Andhra Pradesh Dairy Development Corporation, Hyderabad	Vijaya Bhavan, Lalapet, Hyderabad-17
71.	AP Sheep and Goat Development Cooperative Federation, Hyd.	Managing Director, 10- 2-289/127 Shanthi- Nagar, Masabtank, Hyderabad-28
72.	Andhra Pradesh State Fishermen Cooperative Societies Federation, Hyd.	Managing Director, O/o Commissioner of Fisheries, 4th lance, Shanthinagar, Mathsya Bhavan, Hyderabad.
73.	Andhra Pradesh Dairy Development Cooperative Federation, Ltd., Hyderabad.	Vijaya Bhavan, Lalapet, Hyderabad-17
74.	Andhra Pradesh State Veterinary Council, Hyderabad.	H.No. 2-289/124, Road, No. 4, Shanthi Nagar, Hyderabad-50028.
75.	Andhra Pradesh Girijan Co-operative Corporation	Telugu Sakshema Bhavan, Masab Tank, Hyderabad-28
76.	Andhra Pradesh State ST Co-operative Finance Corporation (Tricor)	Managing Director, 1st Floor, D.S.S. Bhavan, Masab Tank, Hyderabad.
77.	Andhra Pradesh Education and Welfare Infrastructure Development Corporation (APEWIDC)	4th Floor, Rajiv Vidya Mission Building, SCERT Compound, Hyderabad-500001
78.	Andhra Pradesh Scheduled Castes Co-operative Finance Corporation	VC and MD Damodaram Sanjeevayya Samkshema Bhavan, 5th Floor, Masab Tank, Hyderabad-28
79.	Andhra Pradesh Backward Classes Co-operative Finance Corporation	Sakshema Bhavan, Masab Tank, Hyderabad
80.	Andhra Pradesh Washermen Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
81.	Andhra Pradesh Nayee Brahmana Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
82.	Andhra Pradesh Sagar Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28

(1)	(2)	(3)
83.	Andhra Pradesh Valmiki Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
84.	Andhra Pradesh Baliya Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
85.	Andhra Pradesh Batraja Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
86.	Andhra Pradesh Medara Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
87.	Andhra Pradesh Kummari Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
88.	Andhra Pradesh Vishwabrahmana Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28
89.	Andhra Pradesh Taddy Tappers Co-operative Societies Federation Ltd.	Samkshema Bhavan, Masab Tank, Hyderabad-28.

THE TENTH SCHEDULE

(See section 75)

CONTINUANCE OF FACILITIES IN CERTAIN STATE INSTITUTIONS

List of Training Institutions/Centres

1. Andhra Pradesh State Co-operative Union, Hyderabad.
2. Andhra Pradesh Study Circle for Backward Classes, Visakhapatnam.
3. Environment Protection Training and Research Institute, Hyderabad.
4. Andhra Pradesh Forest Academy, Rangareddy District.
5. Andhra Pradesh State Council of Science and Technology (APCOST), Hyderabad.
6. Dr.MCR Human Resource Development Institute of Andhra Pradesh, Hyderabad.
7. Centre for Good Governance, Hyderabad.
8. State Institute of Health and Family Welfare, Vengalrao Nagar, Hyderabad.
9. State Board of Technical Education and Training, Hyderabad.
10. Andhra Pradesh Police Academy, Hyderabad.
11. Water and Land Management, Training and Research Institute, Hyderabad.
12. AMR Andhra Pradesh Academy of Rural Development, Hyderabad.
13. Sriramananada Theertha Training and Research Institute.
14. Andhra Pradesh Prohibition and Excise Academy.
15. State Institute of Educational Technology, Hyderabad.
16. State Council of Educational Research and Training, Hyderabad.
17. Andhra Pradesh Study Circle, Hyderabad.
18. Tribal Culture and Research Institute, Sankshema Bhavan, Masab Tank, Hyderabad.
19. Board of Intermediate Education, Hyderabad.
20. Andhra Pradesh State Seeds Certification Agency, Hyderabad.
21. Andhra Pradesh Live Stock Development Agency, Hyderabad.
22. Centre for Forest and Natural Resource Management Studies (CEFARM), Rangareddy District.
23. Andhra Pradesh Press Academy, Hyderabad.
24. AIDS Control Society, Hyderabad.
25. Andhra Pradesh Medical and Aromatic Plants Board, Hyderabad.

26. Andhra Pradesh Para Medical Board, Hyderabad.
27. Andhra Pradesh State Council of Higher Education, Hyderabad.
28. Forensic Science Laboratory, Hyderabad.
29. State Level Police Recruitment Board.
30. Society for Andhra Pradesh Network (SAPNET) , Hyderabad.
31. Andhra Pradesh Engineering Research Labs, Hyderabad.
32. Andhra Pradesh Urdu Academy, Hyderabad.
33. Andhra Pradesh Urban Services for the Poor, Hyderabad.
34. Mission for Elimination of Poverty in Municipal Areas (MEPMA), Hyderabad.
35. Andhra Pradesh Rural Livelihoods Project (P.M.U) , Hyderabad.
36. Water Conservation Mission.
37. Society for Elimination of Rural Poverty, Hyderabad.
38. Employment Generation and Marketing Mission, Hyderabad.
39. Andhra Pradesh State Remote Sensing Applications Centre, Hyderabad.
40. Andhra Pradesh Open School Society, Hyderabad.
41. A.P.R.E.I. Society, Hyderabad.
42. Andhra Pradesh Social Welfare Residential Educational Institutions Society (A.P.S.W.R.E.I.) , Hyderabad.
43. State Agriculture Management and Extension Training Institute (SAMETI) Hyderabad.
44. Soil Conservation Training Centre, Hyderabad.
45. State Management Institute for Livestock Development in Andhra Pradesh, Hyderabad (SMILDA), Hyderabad.
46. State Animal Husbandry Training Centre, East Godavari.
47. State Institute for Fisheries Technologies (SIFT), Kakinada.
48. Mahatma Jyothiba Phule Andhra Pradesh Backward Classes Welfare Residential Educational Institutions Society, Hyderabad.
49. Andhra Pradesh Commission for Backward Classes, Hyderabad.
50. Hindi Academy, Hyderabad.
51. Telugu Academy, Hyderabad.
52. Sanskrit Academy, Hyderabad.
53. Oriental Manuscripts Library and Research Institute, Hyderabad.
54. Andhra Pradesh State Archives and Research Institute, Hyderabad.
55. Rajiv Gandhi University of Knowledge Technologies, Hyderabad.
56. Jawaharlal Nehru Architecture and Fine Arts University, Hyderabad.
57. Sri Padmavathi Mahila University, Tirupati.
58. Dravidian University, Kuppam.
59. Telugu University, Hyderabad.
60. Dr. B.R. Ambedkar Open University, Hyderabad.
61. RVM (SSA) Authority, Hyderabad.
62. Andhra Pradesh Government Text Book Press, Hyderabad.
63. State Central Library, Hyderabad.
64. Andhra Pradesh Pollution Control Board, Hyderabad.
65. Andhra Pradesh State Bio-Diversity Board, Hyderabad.
66. Andhra Pradesh National Green Corps, Secundrabad.
67. Directorate of Institute of Preventive Medicine, Hyderabad.

68. Institute for Electronic Governance (IEG) AP Society for Knowledge Networks, Hyderabad.
69. National Institute of Urban Management (NIUM), Hyderabad.
70. Andhra Pradesh State Wakf Board, Hyderabad.
71. The Survey Commissioner of Wakfs, Hyderabad.
72. Centre for Educational Development of Minorities, Hyderabad.
73. Dairatul Maarif, OU Hyderabad.
74. Andhra Pradesh State Haj Committee, Hyderabad.
75. Andhra Pradesh State Development Planning Society, Hyderabad.
76. Extention Training Centre, Rajendranagar.
77. Extention Training Centre, Hasanparthy.
78. Extention Training Centre, Bapatla.
79. Extention Training Centre, Samalkot.
80. Extention Training Centre, Srikalahasthi.
81. Rajiv Education and Employment Mission in Andhra Pradesh (REEMAP), Hyderabad.
82. Society for Rural Development Services, Hyderabad.
83. Society for Social Audit, Accountability and Transparency, Hyderabad.
84. Streenidhi Credit Cooperative Federation Ltd., Hyderabad.
85. Andhra Pradesh Survey Training Academy, Hyderabad.
86. The Ambedkar Research and Training Institute for Scheduled Castes, Hyderabad.
87. Andhra Pradesh State Commission for Scheduled Castes and Scheduled Tribes, Hyderabad.
88. Victoria Memorial Home (Residential School), Hyderabad.
89. APTW Residential Education Institutions Society (Gurukulam), Hyderabad.
90. DR. YSR Study Circle for Scheduled Tribes (PETC), Secunderabad.
91. Andhra Pradesh Women's Commission, Secunderabad.
92. Andhra Pradesh State Social Welfare Advisory Board, Hyderabad.
93. State Commission for Protection of Child Rights, Secunderabad.
94. The Training Centre for Teachers of Visually Handicapped, Secunderabad.
95. Study Circle for Disabled Andhra Pradesh, Hyderabad.
96. APSRTC Employees THRIFT and Credit Cooperative Society Ltd., Hyderabad.
97. Truck Operators Highway Amenities Society (TOHAS), Hyderabad.
98. National Cadet Corps Directorate, Secunderabad.
99. Shilparamam Arts Crafts Cultural Society, Madhapur, Hyderabad.
100. Dr. YSR National Institute of Tourism and Hospitality Management, Hyderabad.
101. State Institute of Correctional Administration, Chanchalguda, Hyderabad.
102. Andhra Pradesh Fire Services and Civil Defence Training Institute, Hyderabad.
103. Sri Pragada Kotaiah Memorial Indian Institute of Handloom Technology (SPKMIIHT), Nellore.
104. Telugu Chenetha Parishramika Shikshna Kendram, Ananthapur.
105. Weavers Training Centre, Karimnagar (WTC), Karim Nagar.
106. Powerloom Service Centre, Sircilla, Karimnagar.
107. Khadi Gramodyoga Maha Vidyalya, Hyderabad.

THE ELEVENTH SCHEDULE

[See section 85(7)(e)]

Principles governing the functioning of the River Management Boards.

1. The operation protocol notified by the Ministry of Water Resources with respect to water resources arrived at based on appropriate dependability criteria after the adjudication by the Krishna Water Disputes Tribunal shall be binding on both the successor States.
2. In the event of conflicting demand of water for irrigation and power, the requirement of water for irrigation shall take precedence.
3. In the event of conflicting demand of water for irrigation and drinking water, the requirement of water for drinking water purpose shall take precedence.
4. The allocations made by the River Water Tribunals with regard to various projects on Godavari and Krishna Rivers or for the regions of the existing State of Andhra Pradesh, in respect of assured water shall remain the same.
5. Allocations, if any, to be made on excess flows by any Tribunal in future shall be binding on both the State of Telangana and the successor State of Andhra Pradesh.
6. While the successor State Governments shall be responsible for managing natural calamities, the Boards shall advise the two State Governments on the management of disaster or drought or flood in the rivers of Krishna and Godavari, particularly in reference to the release of water for the management and mitigation of the natural calamities. The Boards shall have the full authority to get their orders implemented by the two successor State Governments promptly and effectively in respect of operation of the head works of the dams, reservoirs or head works of canals and works appurtenant thereto including the hydel power projects, as notified by the Central Government, on Krishna and Godavari Rivers.
7. No new projects based on water resources arrived at based on appropriate dependability criteria on Godavari or Krishna rivers can be taken up by the State of Telangana or the State of Andhra Pradesh without obtaining sanction from the Apex Council on River water resources. All such proposals shall be first appraised and technically cleared by the respective Board, before sanction by the said Apex Council.
8. Execution of ongoing projects and future new projects on Godavari and Krishna rivers shall be the responsibility of the State Government concerned where the project is located.
9. In case of non-implementation of the decision by either of the States, the defaulting State shall bear the responsibility and shall face financial and other penalties imposed by the Central Government.
10. The following irrigation projects which are under construction shall be completed as per the plan notified by the existing State of Andhra Pradesh and the water sharing arrangement shall continue as such :—
 - (i) Handri Niva
 - (ii) Telugu Ganga
 - (iii) Galeru Nagiri
 - (iv) Venegondu
 - (v) Kalvakurthi
 - (vi) Nettempadu.

THE TWELFTH SCHEDULE

(See section 92)

A. Coal

1. Of the total equity of Singareni Collieries Company Ltd. (SCCL), 51% shall be with the Government of Telangana and 49% with the Government of India.
2. Existing coal linkages of SCCL shall continue without any change.
3. New linkages shall be allotted to the successor States as per the New Coal Distribution Policy by Government of India.
4. End use plants of the allocated coal blocks shall continue with coal from the block to be supplied in proportion to their respective capacities.

B. Oil and Gas

1. Allocation of natural gas will continue to be done as per the policies and guidelines issued by the Government of India from time to time.
2. The royalties payable on domestic onshore production of oil and gas shall accrue to the State in which such production takes place.

C. Power

1. Units of APGENCO shall be divided based on geographical location of power plants.
2. Existing Power Purchase Agreements (PPAs) with respective DISCOMS shall continue for both on-going projects and projects under construction.
3. The existing Andhra Pradesh Electricity Regulatory Commission (APERC) shall function as a joint regulatory body for a period not exceeding six months within which time separate SERCs will be formed in the successor States.
4. The existing State Load Despatch Centre (SLDC) shall function for both successor States for a period not exceeding two years within which time separate SLDC shall be set up for each successor State. During this period, the existing SLDC shall function under the direct administration and control of the Southern RLDC at Bengaluru.
5. Transmission lines of APTRANSCO of 132 KV and higher voltage cutting across the successor States shall be deemed as Inter-State Transmission System (ISTS) lines. The transmission lines falling within the territory of each successor State shall be transferred to the respective State Transmission Utilities. The maintenance of ISTS lines shall also be done by successor States in their respective jurisdictions.
6. The power of the Central Generating Stations will be allotted in such ratio to the State of Telangana and the State of Andhra Pradesh based on the actual energy consumption of the last 5 years of the relevant DISCOMS in the respective successor State.
7. For a period of ten years, the successor State that has a deficit of electricity shall have the first right of refusal for the purchase of surplus power from the other successor State.
8. The districts of Anantapur and Kurnool which fall within the jurisdiction of the AP Central Power Distribution Company Ltd. will now be reassigned to the AP South Power Distribution Company Ltd.

THE THIRTEENTH SCHEDULE

(See section 93)

Education

1. The Government of India shall take steps to establish institutions of national importance in the 12th and 13th Plan periods in the successor State of Andhra Pradesh. This would include one IIT, one NIT, one IIM, one IISER, one Central University, one Petroleum University, one Agricultural University and one IIIT.
2. The Government of India shall establish one AIIMS-type Super-Specialty Hospital- cum- Teaching Institution in the successor State of Andhra Pradesh.
3. The Government of India shall establish a Tribal University each in the State of Andhra Pradesh and in the State of Telangana.
4. A Horticulture University shall be established in the successor State of Telangana.
5. The Government of India shall establish the National Institute of Disaster Management in the successor State of Andhra Pradesh.

Infrastructure

1. The Government of India shall develop a new major port at Duggirajupatnam in the successor State of Andhra Pradesh to be completed in phases with Phase I by end-2018 ;
2. SAIL shall examine, within six months from the appointed day, the feasibility of establishing an integrated steel plant in Khammam district of the successor State of Telangana ;
3. SAIL shall, within six months from the appointed day, examine the feasibility of establishing an integrated Steel Plant in YSR District of the successor State of Andhra Pradesh ;
4. IOC or HPCL shall, within six months from the appointed day, examine the feasibility of establishing a greenfield crude oil refinery and petrochemical complex in the successor State of Andhra Pradesh and take an expeditious decision thereon ;
5. The Government of India shall, within six months from the appointed day, examine the feasibility of establishing a Vizag-Chennai industrial corridor along the lines of Delhi-Mumbai Industrial Corridor and take within such period an expeditious decision thereon ;
6. The Government of India shall, within six months from the appointed day, examine the feasibility of expanding the existing Visakhapatnam, Vijayawada and Tirupati airports to international standards and take an expeditious decision thereon ;
7. NTPC shall establish a 4000 MW power facility in the successor State of Telangana after establishing necessary coal linkages ;
8. Indian Railways shall, within six months from the appointed day, examine establishing a new railway zone in the successor State of Andhra Pradesh and take an expeditious decision thereon ;
9. NHAI shall take necessary steps to improve road connectivity in the backward regions of the successor State of Telangana ;
10. The Indian Railways shall, within six months from the appointed day, examine the feasibility of establishing a Rail Coach Factory in the successor State of Telangana and improve rail connectivity in the State and take an expeditious decision thereon ;
11. The Central Government shall take measures to establish rapid rail and road connectivity from the new capital of the successor State of Andhra Pradesh to Hyderabad and other important cities of Telangana ;
12. The Government of India shall examine the feasibility of Metro Rail facility in Vishakhapatnam and Vijayawada-Guntur-Tenali Metropolitan Urban Development Authority within period of one year from the appointed day and take an expeditious decision thereon.

P. K. MALHOTRA,

Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 5th March 2014/Phalguna 14, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 4th March 2014, and is hereby published for general information :—

**THE STREET VENDORS (PROTECTION OF LIVELIHOOD
AND REGULATION OF STREET VENDING) ACT, 2014**

(No. 7 OF 2014)

[4th March, 2014.]

*An Act to protect the rights of urban street vendors and to regulate street vending activities
and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. Short title, extent, commencement and provisions.—(1) This Act may be called the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint ; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

(4) The provisions of this Act shall not apply to any land, premises and trains owned and controlled by the Railways under the Railway Act, 1989 (24 of 1989).

2. Definitions.—(1) In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in respect of matters relating to,—

(i) a Union territory without Legislature, the Central Government ;

(ii) the Union territories with Legislature, the Government of the National Capital Territory of Delhi or, as the case may be, the Government of Union territory of Puducherry ;

(iii) a State, the State Government ;

(b) “holding capacity” means the maximum number of street vendors who can be accommodated in any vending zone and has been determined as such by the local authority on the recommendations of the Town Vending Committee ;

(c) “local authority” means a Municipal Corporation or a Municipal Council or a Nagar Panchayat, by whatever name called, or the Cantonment Board, or as the case may be, a civil area committee appointed under section 47 of the Cantonment Act, 2006 (41 of 2006) or such other body entitled to function as a local authority in any city or town to provide civic services and regulate street vending and includes the “planning authority” which regulates the land use in that city or town ;

(d) “mobile vendors” means street vendors who carry out vending activities in designated area by moving from one place to another place vending their goods and services ;

(e) “natural market” means a market where sellers and buyers have traditionally congregated for the sale and purchase of products or services and has been determined as such by the local authority on the recommendations of the Town Vending Committee ;

(f) “notification” means a notification published in the *Official Gazette* and the term “notify” shall be construed accordingly ;

(g) “planning authority” means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Town and Country Planning Act or the Urban Development Act or the Municipal Act, as the case may be ;

(h) “prescribed” means prescribed by rules made under this Act by the appropriate Government ;

(i) “Schedule” means the Schedule annexed to this Act ;

(j) “scheme” means a scheme framed by the appropriate Government under section 38 ;

(k) “stationary vendors” means street vendors who carry out vending activities on regular basis at a specific location ;

(l) “street vendor” means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific ; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly ;

(m) “Town Vending Committee” means the body constituted by the appropriate Government under section 22 ;

(n) “vending zone” means an area or a place or a location designated as such by the local authority, on the recommendations of the Town Vending Committee, for the specific use by street vendors for street vending and includes footpath, side walk, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public.

(2) Any reference in this Act to any enactment or any provision thereof, shall, in relation to an area in which such enactment or such provision is not in force be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

REGULATION OF STREET VENDING

3. Survey of street vendors and protection from eviction or relocation.—(1) The Town Vending Committee shall, within such period and in such manner as may be specified in the scheme, conduct a survey of all existing street vendors, within the area under its jurisdiction, and subsequent survey shall be carried out at least once in every five years.

(2) The Town Vending Committee shall ensure that all existing street vendors, identified in the survey, are accommodated in the vending zones subject to a norm conforming to two and half per cent. of the population of the ward or zone or town or city, as the case may be, in accordance with the plan for street vending and the holding capacity of the vending zones.

(3) No street vendor shall be evicted or, as the case may be, relocated till the survey specified under sub-section (1) has been completed and the certificate of vending is issued to all street vendors.

4. Issue of certificate of vending.—(1) Every street vendor, identified under the survey carried out under sub-section (1) of section 3, who has completed the age of fourteen years or such age as may be prescribed by the appropriate Government, shall be issued a certificate of vending by the Town Vending Committee, subject to such terms and conditions and within the period specified in the scheme including the restrictions specified in the plan for street vending :

Provided that a person, whether or not included under the survey under sub-section (1) of section 3, who has been issued a certificate of vending before the commencement of this Act,

whether known as licence or any other form of permission (whether as a stationary vendor or a mobile vendor or under any other category) shall be deemed to be a street vendor for that category for the period for which he has been issued such certificate of vending.

(2) Where, in the intervening period between two surveys, any person seeks to vend, the Town Vending Committee may grant a certificate of vending to such person, subject to the scheme, the plan for street vending and the holding capacity of the vending zones.

(3) Where the number of street vendors identified under sub-section (1) or the number of persons seeking to vend under sub-section (2) are more than the holding capacity of the vending zone and exceeds the number of persons to be accommodated in that vending zone, the Town Vending Committee shall carry out a draw of lots for issuing the certificate of vending for that vending zone and the remaining persons shall be accommodated in any adjoining vending zone to avoid relocation.

5. Conditions for issue of certificate of vending.—(1) Every street vendor shall give an undertaking to the Town Vending Committee prior to the issue of a certificate of vending under section 4, that—

(a) he shall carry on the business of street vending himself or through any of his family member ;

(b) he has no other means of livelihood :

(c) he shall not transfer in any manner whatsoever, including rent, the certificate of vending or the place specified therein to any other person.

(2) Where a street vendor to whom a certificate of vending is issued dies or suffers from any permanent disability or is ill, one of his family member in following order of priority, may vend in his place, till the validity of the certificate of vending—

(a) spouse of the street vendor ;

(b) dependent child of the street vendor :

Provided that where a dispute arises as to who is entitled to vend in the place of the vendor, the matter shall be decided by the committee under section 20.

6. Categories of certificate of vending and issue of identity cards.—(1) The certificate of vending shall be issued under any of the following categories, namely :—

(a) a stationary vendor ;

(b) a mobile vendor ; or

(c) any other category as may be specified in the scheme.

(2) The certificate of vending issued for the categories specified in sub-section (1) shall be in such form, and issued in such manner, as may be specified in the scheme and specify the vending zone where the street vendor shall carry on his vending activities, the days and timings for carrying on such vending activities and the conditions and restrictions subject to which he shall carry on such vending activities.

(3) Every street vendor who has been issued certificate of vending under sub-section (1) shall be issued identity cards in such form and manner as may be specified in the scheme.

7. Criteria for issuing certificate of vending.—The criteria to be followed by the Town Vending Committee for issuing certificate of vending to a street vendor shall be as specified in the scheme, which may, apart from other things, provide for preference to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, women, persons with disabilities, minorities or such other categories as may be specified in the scheme.

8. Vending fees—Every street vendor who has been issued certificate of vending shall pay such vending fees as may be specified in the scheme.

9. Validity and renewal of certificate of vending.—(1) Every certificate of vending shall be valid for such period as may be specified in the scheme.

(2) Every certificate of vending shall be renewable for such period, in such manner, and on payment of such fees, as may be specified in the scheme.

10. Cancellation or suspension of certificate of vending.—Where a street vendor who has been issued a certificate of vending under this Act commits breach of any of the conditions thereof or any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder, or where the Town Vending Committee is satisfied that such certificate of vending has been secured by the street vendor through misrepresentation or fraud, the Town Vending Committee may, without prejudice to any other fine which may have been incurred by the street vendor under this Act, cancel the certificate of vending or suspend the same in such manner as may be specified in the scheme and for such period as it deems fit :

Provided that no such cancellation or suspension shall be made by the Town Vending Committee unless an opportunity of hearing has been given to the street vendor.

11. Appeal from decision of Town Vending Committee.—(1) Any person who is aggrieved by any decision of the Town Vending Committee with respect to issue of certificate of vending under section 6 or cancellation or suspension of certificate of vending under section 10 may prefer an appeal to the local authority in such form, within such period, and in such manner, as may be prescribed.

(2) No appeal shall be disposed of by the local authority unless the appellant has been given an opportunity of hearing.

CHAPTER III

RIGHTS AND OBLIGATIONS OF STREET VENDORS

12. Rights of street vendor.—(1) Every street vendor shall have the right to carry on the business of street vending activities in accordance with the terms and conditions mentioned in the certificate of vending.

(2) Notwithstanding anything contained in sub-section (1), where any area or space, as the case may be, has been earmarked as no-vending zone, no street vendor shall carry out any vending activities in that zone.

13. Right of street vendor for a new site or area on relocation.—Every street vendor, who possesses a certificate of vending, shall, in case of his relocation under section 18, be entitled for new site or area, as the case may be, for carrying out his vending activities as may be determined by the local authority, in consultation with the Town Vending Committee.

14. Duty of street vendors.—Where a street vendor occupies space on a time sharing basis, he shall remove his goods and wares every day at the end of the time-sharing period allowed to him.

15. Maintenance of cleanliness and public hygiene.—Every street vendor shall maintain cleanliness and public hygiene in the vending zones and the adjoining areas.

16. Maintenance of civic amenities in vending zone in good condition.—Every street vendor shall maintain civic amenities and public property in the vending zone in good condition and not damage or destroy or cause any damage or destruction to the same.

17. Payment of maintenance charges.—Every street vendor shall pay such periodic maintenance charges for the civic amenities and facilities provided in the vending zones as may be determined by the local authority.

CHAPTER IV

RELOCATION AND EVICTION OF STREET VENDORS

18. Relocation or eviction of street vendors.—(1) The local authority may, on the recommendations of the Town Vending Committee, declare a zone or part of it to be a no-vending zone for any public purpose and relocate the street vendors vending in that area, in such manner as may be specified in the scheme.

(2) The local authority shall evict such street vendor whose certificate of vending has been cancelled under section 10 or who does not have a certificate of vending and vends without such certificate, in such manner as may be specified in the scheme.

(3) No street vendor shall be relocated or evicted by the local authority from the place specified in the certificate of vending unless he has been given thirty days' notice for the same in such manner as may be specified in the scheme.

(4) A street vendor shall be relocated or evicted by the local authority physically in such manner as may be specified in the scheme only after he had failed to vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice.

(5) Every street vendor who fails to relocate or vacate the place specified in the certificate of vending, after the expiry of the period specified in the notice, shall be liable to pay for every day of such default, a penalty which may extend up to two hundred and fifty rupees, as may be determined by the local authority, but shall not be more than the value of goods seized.

19. Seizure and reclaiming of goods.—(1) If the street vendor fails to vacate the place specified in the certificate of vending, after the lapse of the period specified in the notice given under sub-section (3) of section 18, the local authority, in addition to evicting the street vendor under section 18, may, if it deems necessary, seize the goods of such street vendor in such manner as may be specified in the scheme :

Provided that where any such seizure is carried out, a list of goods seized shall be prepared, as specified in the scheme, and a copy thereof, duly signed by the person authorised to seize the goods, shall be issued to the street vendor.

(2) The street vendor whose goods have been seized under sub-section (1) may, reclaim his goods in such manner, and after paying such fees, as may be specified in the scheme :

Provided that in case of non-perishable goods, the local authority shall release the goods within two working days of the claim being made by the street vendor, and in case of perishable goods the local authority shall release the goods on the same day of the claim being made by the street vendor.

CHAPTER V

DISPUTE REDRESSAL MECHANISM

20. Redressal of grievances or resolution of disputes of street vendors.—(1) The appropriate Government may constitute one or more committees consisting of a Chairperson who has been a civil judge or a judicial magistrate and two other professionals having such experience as may be prescribed for the purpose of deciding the applications received under sub-section (2) :

Provided that no employee of the appropriate Government or the local authority shall be appointed as members of the committee.

(2) Every street vendor who has a grievance or dispute may make an application in writing to the committee constituted under sub-section (1) in such form and manner as may be prescribed.

(3) On receipt of grievance or dispute under sub-section (2), the committee referred to in sub-section (1) shall, after verification and enquiry in such manner, as may be prescribed, take steps for redressal of such grievance or resolution of such dispute, within such time and in such manner as may be prescribed.

(4) Any person who is aggrieved by the decision of the committee may prefer an appeal to the local authority in such form, within such time and in such manner as may be prescribed.

(5) The local authority shall dispose of the appeal received under sub-section (4) within such time and in such manner as may be prescribed :

Provided that the local authority shall, before disposing of the appeal, give an opportunity of being heard to the aggrieved person.

CHAPTER VI

PLAN FOR STREET VENDING

21. Plan for street vending.—(1) Every local authority shall, in consultation with the planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.

(2) The plan for street vending prepared by the local authority shall be submitted to the appropriate Government for approval and that Government shall, before notifying the plan, determine the norms applicable to the street vendors.

CHAPTER VII

TOWN VENDING COMMITTEE

22. Town Vending Committee.—(1) The appropriate Government may, by rules made in this behalf, provide for the term and the manner of constituting a Town Vending Committee in each local authority :

Provided that the appropriate Government may, if considers necessary, provide for constitution of more than one Town Vending Committee, or a Town Vending Committee for each zone or ward, in each local authority.

(2) Each Town Vending Committee shall consist of :—

(a) Municipal Commissioner or Chief Executive Officer, as the case may be, who shall be the Chairperson ; and

(b) such number of other members as may be prescribed, to be nominated by the appropriate Government, representing the local authority, medical officer of the local authority, the planning authority, traffic police, police, association of street vendors, market associations, traders associations, non-governmental organisations, community based organisations, resident welfare associations, banks and such other interests as it deems proper ;

(c) the number of members nominated to represent the non-governmental organisations and the community based organisations shall not be less than ten per cent. ;

(d) the number of members representing the street vendors shall not be less than forty per cent. who shall be elected by the street vendors themselves in such manner as may be prescribed :

Provided that one-third of members representing the street vendors shall be from amongst women vendors :

Provided further that due representation shall be given to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and persons with disabilities from amongst the members representing street vendors.

(3) The Chairperson and the members nominated under sub-section (2) shall receive such allowances as may be prescribed by the appropriate Government.

23. Meetings of Town Vending Committee.—(1) The Town Vending Committee shall meet at such times and places within the jurisdiction of the local authority and shall observe such rules of procedure in regard to the transaction of business at its meetings, and discharge such functions, as may be prescribed.

(2) Every decision of the Town Vending Committee shall be notified along with the reasons for taking such decision.

24. Temporary association of persons with Town Vending Committee for particular purposes.—(1) The Town Vending Committee may associate with itself in such manner and for such purposes, as may be prescribed, any person whose assistance or advice it may desire, in carrying out any of the provisions of this Act.

(2) A person associated under sub-section (1) shall be paid such allowances as may be prescribed.

25. Office space and other employees for Town Vending Committee.—The local authority shall provide the Town Vending Committee with appropriate office space and such employees as may be prescribed.

26. *Publication of street vendor's charter and data-base and carrying out of social audit.*—

(1) Every Town Vending Committee shall publish the street vendor's charter specifying therein the time within which the certificate of vending shall be issued to a street vendor and the time within which such certificate of vending shall be renewed and other activities to be performed within the time limit specified therein.

(2) Every Town Vending Committee shall maintain up to date records of registered street vendors and street vendors to whom certificate of vending has been issued containing name of such street vendor, stall allotted to him, nature of business carried out by him, category of street vending and such other particulars which may be relevant to the street vendors, in such manner as may be prescribed.

(3) Every Town Vending Committee shall carry out social audit of its activities under the Act or the rules or the schemes made thereunder in such form and manner as may be specified in the scheme.

CHAPTER VIII**PREVENTION OF HARASSMENT OF STREET VENDORS**

27. *Prevention of harassment by police and other authorities.*—Notwithstanding anything contained in any other law for the time being in force, no street vendor who carries on the street vending activities in accordance with the terms and conditions of his certificate of vending shall be prevented from exercising such rights by any person or police or any other authority exercising powers under any other law for the time being in force.

CHAPTER IX**PENAL PROVISIONS**

28. *Penalty for contraventions.*—If any street vendor—

(a) indulges in vending activities without a certificate of vending ;

(b) contravenes the terms of certificate of vending ; or

(c) contravenes any other terms and conditions specified for the purpose of regulating street vending under this Act or any rules or schemes made thereunder,

he shall be liable to a penalty for each such offence which may extend up to rupees two thousand as may be determined by the local authority.

CHAPTER X**MISCELLANEOUS**

29. *Provisions of this Act, not to be construed as conferring ownership rights, etc.*—(1) Nothing contained in this Act shall be construed as conferring upon a street vendor any temporary, permanent or perpetual right of carrying out vending activities in the vending zones allotted to him or in respect of any place on which he carries on such vending activity.

(2) Nothing contained in sub-section (1) shall apply to any stationery vendor, if a temporary leasehold or ownership right has been conferred on him by a lease deed or otherwise, in respect of a place at specific location where he carries on such vending activity in accordance with the provisions of any law for the time being in force for carrying out such vending activity.

30. *Returns.*—Every Town Vending Committee shall furnish, from time to time, to the appropriate Government and the local authority such returns as may be prescribed.

31. *Promotional measures.*—The appropriate Government may, in consultation with the Town Vending Committee, local authority, planning authority and street vendors associations or unions, undertake promotional measures of making available credit, insurance and other welfare schemes of social security for the street vendors.

32. *Research, training and awareness.*—The appropriate Government may, to the extent of availability of financial and other resources,—

(a) organise capacity building programmes to enable the street vendors to exercise the rights contemplated under this Act ;

(b) undertake research, education and training programmes to advance knowledge and understanding of the role of the informal sector in the economy, in general and the street vendors, in particular and to raise awareness among the public through Town Vending Committee.

33. Act to have overriding effect.—The provisions of this Act shall have effect notwithstanding anything inconsistent therein contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

34. Powers to delegate.—The appropriate Government may, by general or special order in writing, delegate such of its powers and functions under this Act (excluding the power to frame scheme under section 38 and power to make rules under section 36), as it may deem necessary, to the local authority or the Town Vending Committee or any other officer, subject to such conditions, if any, as may be specified in that order.

35. Power to amend Schedules.—(1) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedules and thereupon the First Schedule or the Second Schedule, as the case may be, shall be deemed to have been amended accordingly.

(2) A copy of every notification issued under sub-section (1), shall be laid before each House of Parliament as soon as may be after it is issued.

36. Power to make rules.—(1) The appropriate Government shall, within one year from the date of commencement of this Act, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) the age for street vending under sub-section (1) of section 4 ;
- (b) the form, period and manner of filing appeal with the local authority under sub-section (1) of section 11 ;
- (c) the persons and the experience such person shall have under sub-section (1) of section 20 ;
- (d) the form and the manner of making application under sub-section (2) of section 20 ;
- (e) the manner of verification and enquiry on receipt of grievance or dispute, the time within which and the manner in which steps for redressal of grievances and resolution of disputes may be taken under sub-section (3) of section 20 ;
- (f) the form, the time within which and the manner in which an appeal may be filed under sub-section (4) of section 20 ;
- (g) the time within which and the manner in which an appeal shall be disposed of under sub-section (5) of section 20 ;
- (h) the term of, and the manner of constituting, the Town Vending Committee under sub-section (1) of section 22 ;
- (i) the number of other members of the Town Vending Committee under clause (b) of sub-section (2) of section 22 ;
- (j) the manner of elections among street vendors under clause (d) of sub-section (2) of section 22 ;
- (k) the allowances to Chairperson and members under sub-section (3) of section 22 ;
- (l) the time and place for meeting, procedure for transaction of business at meetings and functions to be discharged by the Town Vending Committee under section 23 ;
- (m) the manner and the purpose for which a person may be associated under sub-section (1) of section 24 ;

- (n) the allowances to be paid to an associated person under sub-section (2) of section 24 ;
- (o) the other employees of Town Vending Committee under section 25 ;
- (p) the manner of maintaining up to date record of all street vendors under sub-section (2) of section 26 ;
- (q) the returns to be furnished under section 30 ;
- (r) the manner of publishing summary of scheme under sub-section (2) of section 38.

(3) Every rule and scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

(4) Every rule or scheme made by the State Government under this Act shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

37. Power to make bye-laws.—Subject to the provisions of this Act or any rule or scheme made thereunder, the local authority may make bye-laws to provide for all or any of the following matters, namely :—

- (a) the regulation and manner of vending in restriction-free-vending zones, restricted-vending zones and designated vending zones ;
- (b) determination of monthly maintenance charges for the civic amenities and facilities in the vending zones under section 17 ;
- (c) determination of penalty under sub-section (5) of section 18 and section 28 ;
- (d) the regulation of the collection of taxes and fees in the vending zones ;
- (e) the regulation of traffic in the vending zones ;
- (f) the regulation of the quality of products and services provided to the public in vending zones and maintenance of public health, hygiene and safety standards ;
- (g) the regulation of civic services in the vending zones ; and
- (h) the regulation of such other matters in the vending zones as may be necessary.

38. Scheme for street vendors.—(1) For the purposes of this Act, the appropriate Government shall frame a scheme, within six months from the date of commencement of this Act, after due consultations with the local authority and the Town Vending Committee, by notification, which may specify all or any of the matters provided in the Second Schedule.

(2) A summary of the scheme notified by the appropriate Government under sub-section (1) shall be published by the local authority in at least two local news papers in such manner as may be prescribed.

39. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the *Official Gazette*, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty :

Provided that no order shall be made under this section after expiry of three years from the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

THE FIRST SCHEDULE

(See section 21)

PLAN FOR STREET VENDING

(1) The plan for street vending shall,—

(a) ensure that all existing street vendors identified in the survey, subject to a norm conforming to two and half per cent of the population of the ward, zone, town or city, as the case may be, are accommodated in the plan for street vending ;

(b) ensure the right of commuters to move freely and use the roads without any impediment ;

(c) ensure that the provision of space or area for street vending is reasonable and consistent with existing natural markets ;

(d) take into account the civic facilities for appropriate use of identified spaces or areas as vending zones ;

(e) promote convenient, efficient and cost effective distribution of goods and provision of services ;

(f) such other matters as may be specified in the scheme to give effect to the plan for street vending.

(2) The plan for street vending shall contain all of the following matters, namely :—

(a) determination of spatial planning norms for street vending ;

(b) earmarking of space or area for vending zones ;

(c) determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones ;

(d) making of spatial plans conducive and adequate for the prevalent number of street vendors in that city or town and also for the future growth, by adopting such norms as may be necessary ;

(e) consequential changes needed in the existing master plan, development plan, zonal plan, layout plan and any other plan for accommodating street vendors in the designated vending zones.

(3) Declaration of no-vending zone shall be carried out by the plan for street vending, subject to the following principles, namely :—

(a) any existing market, or a natural market as identified under the survey shall not be declared as a no-vending zone ;

(b) declaration of no-vending zone shall be done in a manner which displaces the minimum percentage of street vendors ;

(c) overcrowding of any place shall not be a basis for declaring any area as a no-vending zone provided that restrictions may be placed on issuing certificate of vending in such areas to persons not identified as street vendors in the survey ;

(d) sanitary concerns shall not be the basis for declaring any area as a no-vending zone unless such concerns can be solely attributed to street vendors and cannot be resolved through appropriate civic action by the local authority ;

(e) till such time as the survey has not been carried out and the plan for street vending has not been formulated, no zone shall be declared as a no-vending zone.

THE SECOND SCHEDULE

(See section 38)

Matters to be provided in the Scheme for Street Vendors framed by the appropriate Government :—

- (a) the manner of conducting survey ;
- (b) the period within which certificate of vending shall be issued to the street vendors identified under the survey ;
- (c) the terms and conditions subject to which certificate of vending may be issued to a street vendor including to those persons who wish to carry on street vending during the intervening period of two surveys ;
- (d) the form and the manner in which the certificate of vending may be issued to a street vendor ;
- (e) the form and manner of issuing identity cards to street vendors ;
- (f) the criteria for issuing certificate of vending to street vendors ;
- (g) the vending fees to be paid on the basis of category of street vending, which may be different for different cities ;
- (h) the manner of collecting, through banks, counters of local authority and counters of Town Vending Committee, vending fees, maintenance charges and penalties for registration, use of parking space for mobile stalls and availing of civic services ;
- (i) the period of validity of certificate of vending ;
- (j) the period for which and the manner in which a certificate of vending may be renewed and the fees for such renewal ;
- (k) the manner in which the certificate of vending may be suspended or cancelled ;
- (l) the categories of street vendors other than stationery vendors and mobile vendors ;
- (m) the other categories of persons for preference for issue of certificate of vending ;
- (n) the public purpose for which a street vendor may be relocated and the manner of relocating street vendor ;
- (o) the manner of evicting a street vendor ;
- (p) the manner of giving notice for eviction of a street vendor ;
- (q) the manner of evicting a street vendor physically on failure to evict ;
- (r) the manner of seizure of goods by the local authority, including preparation and issue of list of goods seized ;
- (s) the manner of reclaiming seized goods by the street vendor and the fees for the same ;
- (t) the form and the manner for carrying out social audit of the activities of Town Vending Committee ;
- (u) the conditions under which private places may be designated as restriction- free-vending zones, restricted-vending zones and no-vending zones ;
- (v) the terms and conditions for street vending including norms to be observed for up keeping public health and hygiene ;
- (w) the designation of State Nodal Officer for co-ordination of all matters relating to street vending at the state level ;
- (x) the manner of maintenance of proper records and other documents by the Town Vending Committee, local authority, planning authority and State Nodal Officer in respect of street vendors ;
- (y) the manner of carrying out vending activities on time-sharing basis ;
- (z) the principles for determination of vending zones as restriction-free-vending zones, restricted-vending zones and no-vending zones ;

(za) the principles for determining holding capacity of vending zones and the manner of undertaking comprehensive census and survey ;

(zb) principles of relocation subject to the following :—

(i) relocation should be avoided as far as possible, unless there is clear and urgent need for the land in question ;

(ii) affected vendors or their representatives shall be involved in planning and implementation of the rehabilitation project ;

(iii) affected vendors shall be relocated so as to improve their livelihoods and standards of living or at least to restore them, in real terms to pre-evicted levels ;

(iv) livelihood opportunities created by new infrastructure development projects shall accommodate the displaced vendors so that they can make use of the livelihood opportunities created by the new infrastructure ;

(v) loss of assets shall be avoided and in case of any loss, it shall be compensated ;

(vi) any transfer of title or other interest in land shall not affect the rights of street vendors on such land, and any relocation consequent upon such a transfer shall be done in accordance with the provisions of this Act ;

(vii) state machinery shall take comprehensive measures to check and control the practice of forced evictions ;

(viii) natural markets where street vendors have conducted business for over fifty years shall be declared as heritage markets, and the street vendors in such markets shall not be relocated ;

(zc) any other matter which may be included in the scheme for carrying out the purposes of this Act.

P. K. MALHOTRA,
Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 5th March 2014/Phalguna 14, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 4th March 2014, and is hereby published for general information :—

**THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES)
AMENDMENT ACT, 2014**

(No. 8 OF 2014)

An Act further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint.

2. Amendment of section 2.—In section 2 of the Governors (Emoluments, Allowances and Privileges) Act, 1982 (43 of 1982) hereinafter referred to as the principal Act), for clause (a), the following clauses shall be substituted, namely :—

‘(a) “ex-Governor” means a person who has been the Governor of a State or two or more States ;

(aa) “Governor” means the Governor, or any person discharging the functions of the Governor, of any State or of two or more States ;’.

3. Insertion of new section 12a.—After section 12 of the principal Act, the following section shall be inserted, namely:—

“12A. *Entitlement of ex-Governor to secretarial assistance.*—Subject to any rules made in this behalf, the ex-Governor shall, for the remainder of his life, be entitled to secretarial assistance of one Personal Assistant on reimbursement basis :

Provided that where such ex-Governor is re-appointed to the office of the Governor or elected to Parliament or the State Legislature or appointed to any office of profit under the Union or a State Government, he shall not be entitled for such secretarial assistance for the period during which he holds such office.”.

4. Amendment of section 13.—In section 13 of the principal Act, in sub-section (2), after clause (g), the following clause shall be inserted, namely :—

“(h) the manner of providing secretarial assistance and reimbursement under section 12A.”.

P. K. MALHOTRA,
Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 5th March 2014/Phalguna 14, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 4th March 2014, and is hereby published for general information :—

THE NATIONAL INSTITUTES OF TECHNOLOGY, SCIENCE EDUCATION
AND RESEARCH (AMENDMENT) ACT, 2014

(No. 9 OF 2014)

*An Act further to amend the National Institutes of Technology, Science Education
and Research Act, 2007.*

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint.

2. Amendment of section 2.—In section 2 of the National Institutes of Technology, Science Education and Research Act, 2007 (29 of 2007) (hereinafter referred to as the principal Act), for the words “the First Schedule and the Second Schedule”, the words “the First Schedule, the Second Schedule and the Third Schedule” shall be substituted.

3. Amendment of section 3.—In section 3 of the principal Act,—

(i) in clause (c), for the words “the First Schedule and the Second Schedule” at both the places where they occur, the words “the First Schedule, the Second Schedule and the Third Schedule” shall be substituted;

(ii) in clause (d), the words, brackets, figures and letter “or sub-section (1) of section 30A” shall be omitted;

(iii) in clauses (g), (k) and (m), for the words “the First Schedule and the Second Schedule” wherever they occur, the words “the First Schedule, the Second Schedule and the Third Schedule” shall be substituted.

4. Amendment of section 4.—In section 4 of the principal Act,—

(a) in sub-section (1), for the words “the First Schedule and the Second Schedule”, the words “the First Schedule, the Second Schedule and the Third Schedule” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) The Bengal Engineering and Science University, Shibpur shall be deemed to have been incorporated under this Act, and on such incorporation, be called the Indian Institute of Engineering Science and Technology, Shibpur.”.

5. Insertion of new section 5A.—After section 5 of the principal Act, the following section shall be inserted, namely:—

“5A. *Effect of incorporation of Bengal Engineering and Science University Shibpur.*—On and from the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014—

(a) any reference to the Bengal Engineering and Science University, Shibpur in any law, contract or other instrument shall be deemed as a reference to the Indian Institute of Engineering Science and Technology, Shibpur ;

(b) all property, movable and immovable, of or belonging to the Bengal Engineering and Science University, Shibpur, shall vest in the Indian Institute of Engineering Science and Technology, Shibpur ;

(c) all the rights and liabilities of the Bengal Engineering and Science University, Shibpur shall be the rights and liabilities of the Indian Institute of Engineering Science and Technology, Shibpur ;

(d) every person (including Director, officers and other employees) who is employed in the Bengal Engineering and Science University, Shibpur, immediately before the date of commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, shall, on and after such commencement, become an employee of the Indian Institute of Engineering Science and Technology, Shibpur and shall hold his office or service by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same on the date of the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, as if the said Act had not been brought into force and shall continue to do so until his employment is terminated or until such tenure, remuneration, terms and conditions are altered by the Statutes or Ordinances :

Provided that the tenure, remuneration, terms and conditions of service of such person shall not be altered to his disadvantage without the previous approval of the Central Government :

Provided further that any reference to the Chancellor and the Vice-Chancellor of the Bengal Engineering and Science University, Shibpur in any law, instrument or other document made before the commencement of the said Act, shall be construed as a reference to the Visitor and the Director, respectively, of the Indian Institute of Engineering Science and Technology, Shibpur ;

(e) Vice-Chancellor of the Bengal Engineering and Science University, Shibpur shall be the Director of the Indian Institute of Engineering Science and Technology, Shibpur till such date the Central Government appoints new Director for the Indian Institute of Engineering Science and Technology, Shibpur ;

(f) any examination conducted by the Bengal Engineering and Science University, Shibpur immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 for admission or award of degrees shall be valid examination and shall be deemed to have been conducted by the Indian Institute of Engineering Science and Technology, Shibpur.”.

6. Amendment of section 11A.—In section 11A of the principal Act,—

(a) in the marginal heading, for the words “Second Schedule”, the words “Second Schedule and Third Schedule” shall be substituted;

(b) in the opening portion, for the words “the Second Schedule”, the words “the Second Schedule and the Third Schedule” shall be substituted.

7. Amendment of section 30.—In section 30 of the principal Act, in sub-section (1), after the words “the First Schedule”, the words “the Second Schedule and the Third Schedule” shall be inserted.

8. Omission of section 30A.—Section 30A of the principal Act shall be omitted.

9. Amendment of section 31.—In section 31 of the principal Act, in sub-section (2), the words, brackets, letters and figures “and clause (j) of sub-section (2) of section 30A” shall be omitted.

10. Amendment of section 37.—In section 37 of the principal Act, after clause (d), the following clauses shall be inserted, namely :—

“(e) the court, the Academic Council and the Executive Council of the Bengal Engineering and Science University, Shibpur performing functions as such immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 shall continue to function until a Board is constituted for the Indian Institute of Engineering Science and Technology, Shibpur under this Act, but on and after the constitution of a Board under this Act, the members of the court, the Academic Council and the Executive Council, shall cease to hold office ;

(f) the authorities of the Bengal Engineering and Science University, Shibpur, by whatever names so called, performing functions as such immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014

shall continue to function until a new Authority is appointed or constituted for performing the same functions under the said Act, but on and after such appointment or constitution, the authorities performing the functions under the Bengal Engineering and Science University, Shibpur Act, 2004 (13 of 2004) or any Statutes or Ordinances made thereunder shall cease to hold office ;

(g) every Senate or any other authorities in the names so called constituted in relation to every Institute before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 shall be deemed to be the Senate constituted under the said Act until a new Senate is constituted under this Act for that Institute, but on the constitution of a new Senate under this Act, the members of the Senate holding office before such constitution shall cease to hold office ;

(h) until the first Statutes and the Ordinances are made and brought in force under the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, the Statutes, Ordinances and rules made for the Bengal Engineering and Science University, Shibpur immediately before the commencement of the said Act shall continue to apply to the Indian Institute of Engineering Science and Technology, Shibpur in so far as they are not inconsistent with the provisions of the said Act.”.

11. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, the Central Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty :

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

12. Amendment of Schedule.—After the Second Schedule of the principal Act, the following Schedule shall be inserted, namely :—

“THE THIRD SCHEDULE

[See sections 3(g), (k), (m), 4(1) and 11A]

LIST OF INDIAN INSTITUTES OF ENGINEERING SCIENCE AND TECHNOLOGY

Sl. No. (1)	University or Society (2)	Corresponding Institute (3)
	Bengal Engineering and Science University, Shibpur.	Indian Institute of Engineering Science and Technology, Shibpur.”.

13. Repeal and saving.—(1) The Bengal Engineering and Science University, Shibpur Act, 2004 (13 of 2004) is hereby repealed.

(2) The provisions of the General Clauses Act, 1897 (10 of 1897) shall apply to the repeal of the said Act as if the Act referred to in sub-section (1) were a Central Act.

(3) Notwithstanding such repeal, anything done or any action taken under the repealed Act, shall be deemed to have been done or taken under the corresponding provisions of that Act, as amended by this Act.

P. K. MALHOTRA,
Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 5th March 2014/Phalguna 14, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 4th March 2014, and is hereby published for general information :—

THE RANI LAKSHMI BAI CENTRAL AGRICULTURAL UNIVERSITY ACT, 2014

(No. 10 of 2014)

An Act to provide for the establishment and incorporation of a University in the Bundelkhand region for the development of agriculture and for the furtherance of the advancement of learning and pursuit of research in agriculture and allied sciences and declare it to be an institution of national importance.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Rani Lakshmi Bai Central Agricultural University Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint.

2. Declaration of Rani Lakshmi Bai Central Agricultural University as an institution of national importance.—Whereas the objects of the institution known as the Rani Lakshmi Bai Central Agricultural University are such as to make the institution one of national importance, it is hereby declared that the institution known as the Rani Lakshmi Bai Central Agricultural University is an institution of national importance.

3. Definitions.—In this Act, and in all Statutes made hereunder, unless the context otherwise requires,—

(a) “Academic Council” means the Academic Council of the University ;

(b) “Academic staff” means such categories of staff as are designated as academic staff by the Ordinances ;

(c) “agriculture” means the basic and applied sciences of the soil and water management, crop production including production of all garden crops, control of plants, pests and diseases, horticulture including floriculture, animal husbandry including veterinary and dairy science, fisheries, forestry including farm forestry, home- science, agricultural engineering and technology, marketing and processing of agricultural and animal husbandry products, land use and management ;

(d) “Board” means the Board of Management of the University ;

(e) “Board of Studies” means the Board of Studies of the University ;

(f) “Bundelkhand” means the area covering six districts, namely Chhatarpur, Damoh, Datia, Panna, Sagar and Tikamgarh of Madhya Pradesh and seven districts, namely Banda, Chitrakoot, Hamirpur, Jalaun, Jhansi, Lalitpur and Mahoba of Uttar Pradesh ;

(g) “Chancellor” means the Chancellor of the University ;

(h) “college” means a constituent college of the University whether located at the headquarters, campus or elsewhere ;

(i) “Department” means a Department of Studies of the University ;

(j) “employee” means any person appointed by the University and includes teachers and other staff of the University ;

(k) “extension education” means the educational activities concerned with the training of orchardists, farmers and other groups serving agriculture, horticulture, fisheries and improved practices related thereto and the various phases of scientific technology related to agriculture and agricultural production including post harvest technology and marketing ;

(l) “Faculty” means Faculty of the University ;

- (m) "Ordinances" means the Ordinances of the University ;
- (n) "Regulations" means the Regulations made by any authority of the University ;
- (o) "Research Advisory Committee" means the Research Advisory Committee of the University ;
- (p) "Statutes" means the Statutes of the University ;
- (q) "Student" means a person enrolled in the University for undergoing a course of studies for obtaining a degree, diploma or other academic distinction duly instituted ;
- (r) "teachers" means Professors, Associate Professors, Assistant Professors, Teaching Faculty Members and their equivalent appointed for imparting instruction or conducting research or extension education programmes or combination of these in the University, college or any institute maintained by the University and designated as teachers by the Ordinances ;
- (s) "University" means the Rani Lakshmi Bai Central Agricultural University established under this Act ;
- (t) "Vice-Chancellor" means the Vice-Chancellor of the University ;
- (u) "Visitor" means the Visitor of the University.

4. The University.—(1) There shall be established a University by the name of the "Rani Lakshmi Bai Central Agricultural University".

(2) The headquarters of the University shall be at Jhansi in the State of Uttar Pradesh and it may also establish campuses at such other places within its jurisdiction as it may deem fit :

Provided that the University shall establish two colleges in the State of Madhya Pradesh and two colleges at Jhansi in the State of Uttar Pradesh in the Bundelkhand Region.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Board, the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of the Rani Lakshmi Bai Central Agricultural University.

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

5. Objects of the University.—The objects of the University shall be—

- (a) to impart education in different branches of agriculture and allied sciences as it may deem fit ;
- (b) to further the advancement of learning and conducting of research in agricultural and allied sciences ;
- (c) to undertake programmes of extension education in Bundelkhand in the districts of the States under its jurisdiction ;
- (d) to promote partnership and linkages with national and international educational institutions ; and
- (e) to undertake such other activities as it may, from time to time, determine.

6. Powers of the University.—The University shall have the following powers, namely :—

- (i) to make provisions for instructions in agriculture and allied sciences ;
- (ii) to make provisions for conduct of research in agriculture and allied branches of learning ;
- (iii) to make provisions for dissemination of the findings of research and technical information through extension programmes ;
- (iv) to grant, subject to such conditions as it may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examination, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinction for good and sufficient cause ;

(v) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes ;

(vi) to provide lectures and instructions for field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed by the Statutes ;

(vii) to co-operate or collaborate or associate with any other University or authority or institution of higher learning in such manner and for such purpose as the University may determine ;

(viii) to establish and maintain colleges relating to agriculture, horticulture, fisheries, forestry, veterinary and animal science, dairying, home-science and allied sciences, as necessary ;

(ix) to establish and maintain such campuses, special centres, specialised laboratories, libraries, museums or other units for research and institution as are, in its opinion, necessary for the furtherance of its objects ;

(x) to create teaching, research and extension education posts and to make appointments thereto ;

(xi) to create administrative, ministerial and other posts and to make appointments thereto ;

(xii) to institute and award fellowships, scholarships, studentships, medals and prizes ;

(xiii) to determine standards of admission to the University which may include examination, evaluation or any other method of testing ;

(xiv) to provide and maintain residential accommodation for students and employees ;

(xv) to supervise the residential accommodation of the students and employees of the University and to make arrangements for promoting their health and general welfare ;

(xvi) to lay down conditions of service of all categories of employees, including their code of conduct ;

(xvii) to regulate and enforce discipline among the students and the employees and to take such disciplinary measures in this regard as it may deem necessary ;

(xviii) to fix, demand and receive such fees and other charges as may be prescribed by the Statutes ;

(xix) to borrow, with the approval of the Central Government on the security of its property, money for the purpose of the University ;

(xx) to receive benefactions, donations and gifts and to acquire, hold, manage and dispose of any property, movable or immovable including trust and endowment properties, for its purposes ;

(xxi) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

7. Jurisdiction.—(1) The jurisdiction and responsibility of the University with respect to teaching, research and programmes of extension education at the University level, in the field of agriculture shall extend to whole country and priority shall be laid on the issues related to Bundelkhand region.

(2) All colleges, research and experimental stations or other institutions to be established under the authority of the University shall come in as constituent units under the full management and control of the officers and authorities and no such units shall be recognised as affiliated units.

(3) The University may assume responsibility for the training of field extension workers and others and may develop such training centres as may be required in various parts of Bundelkhand under its jurisdiction.

8. *University open to all classes, castes and creed.*—The University shall be open to persons of either sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof :

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, persons with disabilities or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes, the Scheduled Tribes and the other socially and educationally backward classes of citizens.

9. *The Visitor.*—(1) The President of India shall be the Visitor of the University.

(2) Subject to the provisions of sub-sections (3) and (4), the Visitor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments, and of any institution or college and also of the examination, instruction and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(3) The Visitor shall, in every case, give notice to the University of his intention to cause, an inspection or inquiry to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(4) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where an inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to appear in person and to be heard on such inspection or inquiry.

(6) The Visitor may address the Vice-Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Visitor may be pleased to offer and on receipt of the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board, the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(7) The Board shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

(8) Where the Board does not, within reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Board, issue such directions as he may think fit and the Board shall be bound to comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the Visitor may, by an order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances :

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

(10) The Visitor shall have such other powers as may be prescribed by the Statutes.

10. *Officers of the University.*—The following shall be the officers of the University, namely :—

- (1) the Chancellor ;
- (2) the Vice-Chancellor ;
- (3) the Deans ;
- (4) the Directors ;

- (5) the Registrar ;
- (6) the Comptroller ;
- (7) the University Librarian ; and
- (8) such other officers as may be prescribed by the Statutes.

11. The Chancellor.—(1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office, be the Head of the University.(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

12. The Vice-Chancellor.—(1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter :

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final :

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Board within three months from the date on which decision on such action is communicated to him and thereupon the Board may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

13. Deans and directors.—Every Dean and every Director shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

14. The Registrar.—(1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

15. The Comptroller.—The Comptroller shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

16. Other officers.—The manner of appointment and powers and duties of the other officers of the University shall be as prescribed by the Statutes.

17. Authorities of the University.—The following shall be the authorities of the University, namely :—

- (1) the Board of Management ;
- (2) the Academic Council ;

- (3) the Research Council ;
- (4) the Extension Education Council ; (5) the Finance Committee ;
- (6) the Faculties and Board of Studies ; and
- (7) such other authorities as may be prescribed by the Statutes.

18. The Board of Management.—(1) The Board of Management shall be the principal executive body of the University.

(2) The constitution of the Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

19. The Academic Council.—(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

(2) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

20. The Research Council.—The constitution, powers and functions of the Research Council shall be prescribed by the Statutes.

21. The Extension Education Council.—The constitution, powers and functions of the Extension Education Council shall be prescribed by the Statutes.

22. The Finance Committee.—The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

23. Faculties.—The University shall have such Faculties as may be prescribed by the Statutes.

24. The Board of Studies.—The constitution, powers and functions of the Board of Studies shall be prescribed by the Statutes.

25. Other authorities.—The constitution, powers and functions of other authorities of the University referred to in clause (7) of section 17 shall be such as may be prescribed by the Statutes.

26. Power to make Statutes.—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

- (a) the constitution, powers and functions of the authorities of the University, as may be constituted from time to time ;
- (b) the appointment and continuance in office of the members of the said authorities, the filling up of vacancies of members, and all other matters relating to those authorities for which it may be necessary or desirable to provide ;
- (c) the appointment, powers and duties of the officers of the University and their emoluments ;
- (d) the appointment of teachers, academic staff and other employees of the University and their emoluments ;
- (e) the appointment of teachers and academic staff working in any other University or organisation for a specific period for undertaking a joint project ;
- (f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action ;
- (g) the principles governing the seniority of service of employees of the University ;
- (h) the procedure for arbitration in cases of dispute between employees or students and the University ;
- (i) the procedure for appeal to the Board by any employee or student against the action of any officer or authority of the University ;

- (j) the establishment and abolition of Departments, centres, colleges and institutions ;
- (k) the conferment of honorary degrees ;
- (l) the withdrawal of degrees, diplomas, certificates and other academic distinctions ;
- (m) the institution of fellowships, scholarships, studentships, medals and prizes ;
- (n) the delegation of powers vested in the authorities or officers of the University ;
- (o) the maintenance of discipline among the employees and students ;
- (p) all other matters which are to be, or may be, prescribed by the Statutes.

27. Statutes how to be made.—(1) The first Statutes are those set out in the Schedule.

(2) The Board may from time to time make Statutes or may amend or repeal the Statutes referred to in sub-section (1) :

Provided that the Board shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Board.

(3) Every Statute or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent therefrom or remit it to the Board for consideration.

(4) A Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act.

(6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Board is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board for its inability to comply with such direction, make or amend the Statutes suitably.

28. Power to make Ordinances.—(1) Subject to the provisions of this Act and Statutes, the Ordinances may provide for all or any of the following matters, namely :—

- (a) the admission of students to the University and their enrolment as such ;
- (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University ;
- (c) the medium of instruction and examination ;
- (d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same ;
- (e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University ;
- (f) the conditions for award of fellowships, scholarships, studentships, medals and prizes ;
- (g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators ;
- (h) the conditions of residence of the students ;
- (i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them ;
- (j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes ;
- (k) the establishment of special centres, specialised laboratories and other committees ;
- (l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations ;

(m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University ;

(n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes ;

(o) the management of colleges and institutions established by the University ;

(p) the setting up of a machinery for redressal of grievances of employees ; and

(q) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended or repealed at any time by the Board in the manner prescribed by the Statutes.

29. Regulations.—The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

30. Annual report.—(1) The annual report of the University shall be prepared under the direction of the Board, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the Board on or after such date as may be prescribed by the Statutes and the Board shall consider the report in its annual meeting.

(2) The Board shall submit the annual report to the Visitor along with its comments, if any.

(3) A copy of the annual report as prepared under sub-section (1) shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

31. Annual accounts.—(1) The annual accounts of the University shall be prepared under the directions of the Board and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such persons as he may authorise in this behalf.

(2) A copy of the annual accounts together with the audit report thereon shall be submitted to the Board and the Visitor along with the observations of the Board.

(3) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Board and observations of the Board, if any, shall be submitted to the Visitor.

(4) A copy of the annual accounts together with the audit report as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

(5) The audited annual accounts after having been laid before both the Houses of Parliament shall be published in the *Official Gazette*.

32. Conditions of service of employees.—(1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Board, one member nominated by the employee concerned and an umpire appointed by the Visitor.

(3) The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matters decided by the Tribunal.

(4) Every request made by the employee under sub-section (2) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration and Conciliation Act, 1996 (26 of 1996).

(5) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

33. Procedure of appeal and arbitration in disciplinary cases against students.—(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Board and the Board may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-sections (2), (3), (4) and (5) of section 32 shall, as far as may be, apply to a reference made under this sub-section.

34 Right to appeal.—Every employee or student of the University or of a college or institution maintained by the University shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Board against the decision of any officer or authority of the University or any college or an institution, as the case may be, and thereupon the Board may confirm, modify or reverse the decision appealed against.

35. Provident and pension funds.—(1) The University shall constitute for the benefit of its employees such provident or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident fund or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (19 of 1925), shall apply to such fund, as if it were a Government provident fund.

36. Disputes as to constitution of University authorities.—If any question arises as to whether any person has been duly appointed as, or is entitled to be, a member of any authority of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

37. Constitution of Committees.—Where any authority of the University is given power by this Act or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of the members of the authority concerned and of such persons, if any, as the authority in each case may think fit.

38. Filling of casual vacancies.—All casual vacancies among the members (other than *ex officio* members) of any authority of the University shall be filled, as soon as may be, by the person who appointed or co-opted the member whose place has become vacant and the person appointed or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term, for which the person whose place he fills would have been a member.

39. Proceedings of the University authorities not invalidated by vacancy.—No act or proceedings of any authority of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

40. Protection of action taken in good faith.—No suit, prosecution or other legal proceedings shall lie against the Board, Vice-Chancellor, any authority or officer or other employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

41. Mode of proof of University records.—A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if verified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution or documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof

would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force.

42. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the *Official Gazette*, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulties :

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

43. Transitional provisions.—Notwithstanding anything contained in this Act, and the Statutes,—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and shall hold office for a term of five years ;

(b) the first Registrar and the first Comptroller shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years ;

(c) the first members of the Board shall be nominated by the Visitor and shall hold office for a term of three years ;

(d) the first members of the Academic Council shall be nominated by the Visitor and shall hold office for a term of three years :

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

44. Statutes Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.—(1) Every Statute, Ordinance or Regulation made under this Act shall be published in the *Official Gazette*.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

(3) The power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the Statutes, Ordinances or Regulations or any of them but no retrospective effect shall be given to any Statute, Ordinance or Regulation so as to prejudicially affect the interests of any person to whom such Statutes, Ordinances or Regulations may be applicable.

THE SCHEDULE

(See section 27)

THE STATUTES OF THE UNIVERSITY

The Chancellor

1. (1) The Chancellor shall be appointed by the Visitor from a panel of not less than three persons recommended by the Board from amongst persons of eminence in education in general and agricultural sciences in particular :

Provided that if the Visitor does not approve any of the persons so recommended, he may call for fresh recommendations from the Board.

(2) The Chancellor shall hold office for a term of five years and shall not be eligible for reappointment :

Provided that in exceptional circumstances, the chancellor may continue to hold office until his successor enters upon his office.

The Vice-Chancellor

2. (1) The Vice-Chancellor shall be appointed by the Visitor from a panel of not less than three persons who shall be recommended by a Committee as constituted under clause (2).

(2) The Committee referred to in clause (1) shall consist of the following :—

(i) Secretary, Department of Agricultural Research and Education, Government of India who shall be the Chairman ;

(ii) one nominee of the Visitor as Member, who shall also be the Convener ;

(iii) one nominee of the Central Government.

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of seventy years, whichever is earlier, and he shall be eligible for reappointment for a further term of five years, or until he attains the age of seventy years whichever is earlier :

Provided that in exceptional circumstances, the Vice-Chancellor may continue in office for a period not exceeding one year or until his successor is appointed and enters upon his office.

(5) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows :—

(i) the Vice-Chancellor shall be paid a monthly salary and allowances other than the house rent allowance, at the rate fixed by the Central Government from time to time and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor in respect of the maintenance of such residence ;

(ii) the Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board with the approval of the Visitor from time to time :

Provided that where an employee of the University or a college or an institution maintained by it, or of any other University or any institution maintained by or affiliated to such other University, is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which the person had been contributing immediately before his appointment as the Vice-Chancellor :

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme ;

(iii) the Vice-Chancellor shall be entitled to travelling and other allowances as per the rate fixed from time to time by the Government of India for the officers equivalent to the rank of Secretary to the Government of India. Further, he shall be entitled to transfer travelling allowances and other allowances as admissible to officers of the rank of Secretary to the Government of India for joining and after relinquishing the post ;

(iv) the Vice-Chancellor shall be entitled to leave on full pay at the rate of thirty days in a calendar year and the leave shall be credited to his account in advance in two half-yearly instalments of fifteen days each on the first day of January and July every year :

Provided that if the Vice-Chancellor assumes or relinquishes charge of the office of the Vice-Chancellor during the currency of a half year, the leave shall be credited proportionately at the rate of two and a half days for each completed month of service ;

(v) in addition to the leave referred to in sub-clause (iv), the Vice-Chancellor shall also be entitled to half pay leave at the rate of twenty days for each completed year of service. This half pay leave may also be availed of as commuted leave on full pay on medical certificate. When commuted leave is available, twice the amount of half pay leave shall be debited against half pay leave due ;

(vi) the Vice-Chancellor shall be entitled to Leave Travel Concession and Home Travel Concession as per rules of Government of India ;

(vii) the Vice-Chancellor shall be entitled to the benefit of leave encashment at the time of laying down the office as per rules of Government of India.

(6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the senior-most Dean or Director, as the case may be, shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the Vice-Chancellor attends to the duties of his office, as the case may be.

Powers and duties of the Vice-Chancellor

3. (1) The Vice-Chancellor shall be *ex officio* Chairman of the Board, the Academic Council, the Finance Committee, the Research Council and the Extension Education Council and shall in the absence of the Chancellor, preside over the Convocation held for conferring degrees.

(2) The Vice-Chancellor shall be entitled to be present at, and address any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of such authority.

(3) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, the Ordinances and the Regulations are duly observed, and he shall have all the powers necessary to ensure such observance.

(4) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(5) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such person or persons as he may deem fit.

(6) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Board, the Academic Council, the Research Council, the Extension Education Council and the Finance Committee.

The Dean of colleges and Faculties

4. (1) Each Faculty shall have a Dean who shall also be the head of the college concerned. If any Faculty has more than one college, the Vice-Chancellor may nominate one of the Deans as Dean of the Faculty.

(2) The Dean of the college shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose as per Statute 18 and he shall be a whole-time salaried officer of the University.

(3) The Dean shall be entitled to rent free and unfurnished residential accommodation.

(4) The Dean shall hold the office for a term of five years and shall be eligible for reappointment :

Provided that a Dean on attaining the age of sixty-five years shall cease to hold office as such.

(5) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform duties of his office, the duties of the office shall be performed by such persons as the Vice-Chancellor may appoint for the purpose.

(6) The Dean shall be responsible to the Vice-Chancellor for the conduct and maintenance of the standards of teaching in the college and Faculty and shall perform such other functions as may be prescribed by the Ordinances.

(7) The Dean shall be the *ex officio* Chairman of the Board of Studies of the Faculty, a member of the Academic Council, the Research Council and the Extension Education Council of the University.

The Director of Education

5. (1) The Director of Education shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The Director of Education shall be entitled to rent free and unfurnished residential accommodation.

(3) The Director of Education shall hold office for a term of five years and shall be eligible for reappointment :

Provided that Director of Education on attaining the age of sixty-five years shall cease to hold office as such.

(4) The Director of Education shall be responsible for planning, co-ordination and supervision for all educational programmes in the various Faculties of the University.

The Director of Research

6. (1) The Director of Research shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The Director of Research shall be entitled to rent free and unfurnished accommodation.

(3) The Director of Research shall hold office for a term of five years and shall be eligible for reappointment :

Provided that the Director of Research on attaining the age of sixty-five years shall cease to hold office as such.

(4) The Director of Research shall be responsible for supervision and co-ordination of all research programmes of the University and shall be responsible to the Vice-Chancellor for performance of his duties.

(5) The Director of Research shall be *ex officio* Member-Secretary of the Research Council of the University.

The Director of Extension Education

7. (1) The Director of Extension Education shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The Director of Extension Education shall be entitled to rent free and unfurnished accommodation.

(3) The Director of Extension Education shall hold office for a term of five years and shall be eligible for reappointment :

Provided that the Director of Extension Education on attaining the age of sixty-five years shall cease to hold office as such.

(4) The Director of Extension Education shall be responsible for supervision and co-ordination of all Extension Education Programmes in the University and shall be responsible to the Vice-Chancellor for performance of his duties.

(5) The Director of Extension Education shall be *ex officio* Member-Secretary of the Extension Education Council of the University.

The Registrar

8. (1) The Registrar shall be appointed by the Board on the recommendations of a duly constituted Selection Committee under Statute 18 and he shall be a whole-time salaried officer of the University. He shall be responsible to the Vice-Chancellor for performance of his duties.

(2) He shall be appointed for a term of five years and shall be eligible for reappointment.

(3) He may also be appointed on deputation for a specified period not exceeding five years.

(4) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances :

Provided that the Registrar shall retire on attaining the age of sixty-two years.

(5) In case of a person appointed on deputation, his tenure, emoluments and other terms of service shall be according to the terms of deputation.

(6) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence, or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(7) (a) The Registrar shall have the power to take disciplinary action against such of the employees excluding teachers, as may be specified in the order of the Board and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment :

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the power of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations :

Provided that an appeal shall lie to the Board against an order of the Vice-Chancellor imposing any penalty.

(8) The Registrar shall be the Secretary *ex officio* of the Board and the Academic Council, but shall not be deemed to be a member of any of these authorities.

(9) It shall be the duty of the Registrar—

(a) to be the custodian of the records, the common seal and such other property of the University as the Board shall commit to his charge ;

(b) to issue all notice convening meeting of the Board, the Academic Council and of any Committee appointed by those authorities ;

(c) to keep the minutes of all the meetings of the Board, the Academic Council and of any committees appointed by those authorities ;

(d) to conduct the official correspondence of the Board and the Academic Council ;

(e) to arrange for the examinations of the University in accordance with the manner prescribed by the Ordinances or notifications ;

(f) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings ;

(g) to represent the University in suits or proceedings by or against the University, sign powers-of-attorney and verify pleadings or depute his representatives for the purpose ; and

(h) to perform such other duties as may be specified in the Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Board or the Vice-Chancellor.

The Comptroller

9. (1) The Comptroller shall be appointed by the Board on the recommendations of a duly constituted Selection Committee under Statute 18 and he shall be a whole-time salaried officer of the University.

(2) He shall be appointed for a term of five years and shall be eligible for reappointment.

(3) The Comptroller may also be appointed on deputation for a specified period not exceeding five years.

(4) The emoluments and other terms and conditions of service of the Comptroller shall be such as may be prescribed by the Ordinances. In case of a person being appointed on deputation, his tenure, emoluments and other terms of service shall be according to the standard of deputation :

Provided that the Comptroller shall retire on attaining the age of sixty years.

(5) When the office of the Comptroller is vacant or when the Comptroller is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(6) The Comptroller shall be the Secretary *ex officio* of the Finance Committee, but shall not be deemed to be a member of such Committee.

(7) The Comptroller shall—

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy ; and

(b) perform such other duties as may be specified in the Statutes, the Ordinances or as may be required, from time to time, by the Board or the Vice-Chancellor.

(8) Subject to the control of the Board, the Comptroller shall—

(a) hold and manage the property and investments of the University including trust and endowed property ;

(b) ensure that the limits fixed by the Board for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purpose for which they are granted or allotted ;

(c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Board ;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments ;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed ;

(f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, specialised laboratories, colleges and institutions maintained by the University ;

(g) bring to the notice of the Vice-Chancellor unauthorised expenditure and other financial irregularities and suggest disciplinary action against persons at fault ; and

(h) call for from any office, laboratory, college or institution maintained by the University and information or returns that he may consider necessary for performance of his duties.

(9) Any receipt given by the Comptroller or the person or persons duly authorised in this behalf by the Board for any money payable to the University shall be sufficient discharge for payment of such money.

Heads of Departments

10. (1) Each Department shall have a Head appointed by the Vice-Chancellor who shall be not below the rank of an Associate Professor and whose duties and functions and terms and conditions of appointment shall be prescribed by the Ordinances.

(2) He shall be responsible to the Dean for teaching, to Director of Research for research, to Director of Extension Education for extension education work. However, the Dean shall be the administrative controlling officer of the Heads of Departments in college concerned :

Provided that if there is more than one Professor in any Department, the Head of the Department shall be appointed by the Vice-Chancellor from amongst the Professors :

Provided further that in the case of Department where there is only one Professor, the Vice-Chancellor shall have the option, to appoint either the Professor or an Associate Professor as the Head of the Department :

Provided also that in a Department where there is no Professor or Associate Professor, the Dean of the college shall act as the Head of the Department or with the approval of the Vice-Chancellor assign the duty to any other Head of the Department of the college.

(3) It shall be open to a Professor or an Associate Professor to decline the offer of appointment as the Head of the Department.

(4) A Professor or an Associate Professor appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment.

(5) A Head of the Department may resign his office at any time during his tenure of office.

(6) A Head of the Department shall perform such functions as may be prescribed by the Ordinances.

(7) The Head of the Department shall retire at the age of sixty-five years.

Librarians

11. (1) The University Librarian shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose under Statute 18 and he shall be a whole-time salaried officer of the University.

(2) The Librarian shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

Constitution, powers and functions of the Board of Management

12. (1) The Board shall consist of the following members, namely :—

(i) the Vice-Chancellor, *ex-officio* Chairman ;

(ii) Four Secretaries, from amongst the Secretaries in charge of the Departments of Agriculture and Animal Husbandry, Fishery and Horticulture of the States of Madhya Pradesh and Uttar Pradesh to be nominated by the Visitor by rotation :

Provided that there shall not be more than two Secretaries from a State in the Board at a particular time ;

(iii) three eminent scientists to be nominated by the Visitor ;

(iv) one distinguished person representing Agro-based industries or a manufacturer having a special knowledge in agricultural development to be nominated by the Visitor ;

(v) the Deputy Director-General (Education) representing the Indian Council of Agricultural Research ;

(vi) one Dean of college and one Director to be nominated by the Vice-Chancellor on rotational basis ;

(vii) three persons including at least a woman representing farmers in Bundelkhand to be nominated by the Vice-Chancellor by rotation in the States of Madhya Pradesh and Uttar Pradesh :

Provided that there shall not be more than two representatives from a State in the Board at a particular time ;

(viii) an Advisor (Agriculture), Planning Commission ;

(ix) a distinguished authority on natural resource or environment management to be nominated by the Visitor ;

(x) two persons not below the rank of Joint Secretary representing respectively the Departments of Government of India dealing with the Agriculture and Animal Husbandry to be nominated by the concerned Secretary to the Government of India ;

(xi) nominee of the Secretary representing the Department of Agricultural Research and Education, Government of India ;

(xii) the Registrar of the University-Secretary.

(2) The term of office of the members of the Board, other than *ex-officio* members, shall be three years.

(3) The Board shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(4) Subject to the provisions of this Act, the Statutes and the Ordinances, the Board shall in addition to all other powers vested in it, have the following powers, namely :—

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of University staff, subject to the approval of the Indian Council of Agricultural Research ;

(ii) to appoint such teachers and other academic staff, as may be necessary, and Deans of colleges, Director and Heads of other institutions maintained by the University on the recommendations of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein ;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in the manner prescribed by the Ordinances ;

(iv) to regulate and enforce discipline among employees in accordance with the Statutes and Ordinances ;

(v) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose to appoint such agents as it may think fit ;

(vi) to fix limits on the total recurring and the total non-recurring expenditure for one year on the recommendations of the Finance Committee ;

(vii) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities, from time to time, as it may think fit or in the purchase of immovable property in India, with the like powers of varying such investment from time to time ;

(viii) to transfer or accept transfers of any movable or immovable property on behalf of the University ;

(ix) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University ;

(x) to enter into, vary, carry out and cancel contracts on behalf of the University ;

(xi) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the employees and students of the University ;

(xii) to fix fees, honorarium, emoluments and travelling allowances of examiners or experts or consultants, advisors and officers on special duty ;

(xiii) to select a common seal for the University and provide for the custody and use of such seal ;

(xiv) to make such special arrangements as may be necessary for the residence and discipline of women students ;

(xv) to delegate any of its powers to the Vice-Chancellor, Deans, Directors, Registrar or Comptroller or such other employee or authority of the University or to a Committee appointed by it as it may deem fit ;

(xvi) to institute fellowships, scholarships, studentships, medals and prizes ;

(xvii) to provide for appointment of Visiting Professor, Emeritus Professor, Consultant and Officers on Special Duty and Scholars and to determine the terms and conditions of such appointment ;

(xviii) to exercise such other power and perform such other duties as may be conferred on it by the Act, or the Statutes.

Quorum for meetings of the Board

13. Six members of the Board shall form the quorum for a meeting of the Board.

Constitution and powers of the Academic Council

14. (1) The Academic Council shall consist of the following members, namely :—

(i) the Vice-Chancellor, *ex-officio* Chairman ;

(ii) all the Deans of the colleges of the University ;

(iii) the Director of Research of the University ;

(iv) the Director of Extension Education of the University ;

(v) the Director of Education ;

(vi) a Librarian to be nominated by the Vice-Chancellor on rotational basis ;

(vii) two eminent scientists to be co-opted from outside the University to be nominated by the Vice-Chancellor ;

(viii) seven Heads of the Departments, at least one from each Faculty to be nominated by the Vice-Chancellor ;

(ix) the Registrar of the University, *ex-officio* Secretary.

(2) The term of office of the members of the Academic Council other than *ex-officio* members shall be three years.

(3) Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely :—

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges and institutions, evaluation and improvements in academic standards ;

(b) to bring about inter-college co-ordination and establish or appoint Committee on academic matters ;

(c) to consider matters of general academic interest either on its own initiative or on a reference by a college or the Board and to take appropriate action thereon ; and

(d) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fees, concessions, corporate life and attendance.

Quorum for meetings of the Academic Council

15. One-third members of the Academic Council shall form the quorum for a meeting of the Academic Council.

Board of Studies

16. (1) Each Faculty shall have a Board of Studies.

(2) The Board of Studies of each Faculty shall be constituted as under :—

(i) Dean of Faculty — Chairperson ;

(ii) Director of Research — Member ;

(iii) Director of Extension Education—Member ;

(iv) all Heads of Departments of the Faculty not below the rank of Associate Professor—Member ;

(v) one representative of the Academic Council not belonging to the particular Faculty to be nominated by the Vice-Chancellor ;

(vi) two eminent scientists from agricultural education system not belonging to the University to be nominated by the Vice-Chancellor ;

(vii) one final year Post-Graduate student with Highest Overall Grade Point Average (OGPA) – Member ;

(viii) Assistant Registrar (Academic) of the Faculty – Member ;

(ix) Director of Education—Member.

(3) The functions of the Board of Studies shall be to recommend to the Academic Council, the course curriculum to be prescribed for various degrees to be offered by the concerned Faculty and to make suitable recommendations for the teaching of the prescribed approved course, namely :—

(a) courses of studies and appointment of examiners for courses, but excluding research degrees ;

(b) appointment of supervisors of research ; and

(c) measures for the improvement of the standard of teaching and research.

Finance Committee

17. (1) The Finance Committee shall consist of the following members, namely :—

(i) the Vice-Chancellor — Chairman ;

(ii) Financial Advisor, Department of Agricultural Research and Education or his nominee not below the rank of Deputy Secretary ;

(iii) three persons to be nominated by the Board, out of whom at least one shall be a member of the Board ;

(iv) three persons to be nominated by the Visitor ; and

(v) the Comptroller of the University—Member-Secretary.

(2) Three members of the Finance Committee shall form the quorum for meeting of the Finance Committee.

(3) The members of the Finance Committee, other than *ex-officio* members, shall hold office for a term of three years.

(4) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(5) The Finance Committee shall meet at least twice a year to examine the accounts and to scrutinise proposals for expenditure.

(6) Every proposal relating to creation of posts, and those items which have not been included in the Budget, shall be examined by the Finance Committee before they are considered by the Board.

(7) The annual accounts and the financial estimates of the University prepared by the Comptroller, shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Board for approval.

(8) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

Selection Committee

18. (1) There shall be a Selection Committee for making recommendations to the Board for appointment to the posts of teachers, Comptroller, Registrar, Librarians, Deans of colleges, Directors and Heads of other institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table below shall consist of members as specified in the corresponding entries in column 2 of the said Table :---

TABLE

1	2	3
A. Directors/Deans	(i) Vice-Chancellor or his nominee—Chairman. (ii) One nominee of the Visitor—Member. (iii) Three eminent scientists not below the rank of Vice-Chancellor or equivalent (serving or retired) to be nominated by the Vice-Chancellor from a panel of six names approved by the Board—Member.	
B. Professors/Equivalent	(i) Vice-Chancellor or his nominee—Chairman. (ii) One nominee of the Visitor—Member. (iii) Dean of the concerned Faculty—Member. (iv) Director of Research or Director of Extension Education or Director of Education to be nominated by the Vice-Chancellor— Member. (v) Three eminent subject specialists not below the rank of Head of Department or equivalent (serving or retired) to be nominated by the Vice-Chancellor out of a panel of six names approved by the Board—Members.	
C. Associate Professor/ Assistant Professor/ Equivalent	(i) Vice-Chancellor or his nominee—Chairman. (ii) One nominee of the Visitor—Member. (iii) Dean of the concerned faculty—Member. (iv) Director of Education or Director of Research or Director of Extension Education to be nominated by the Vice-Chancellor—Member. (v) Head of the concerned Department not below the rank of Professor—Member. (vi) Two eminent teachers or scientists not below the rank of Professor or equivalent (serving or retired) to be nominated by the Vice-Chancellor out of a panel of six names approved by the Board—Members.	
D. Registrar/Comptroller/Librarian	(i) Vice-Chancellor or his nominee—Chairman. (ii) One nominee of the Visitor—Member. (iii) One Director/Dean to be nominated by the Vice-Chancellor—Member. (iv) Two experts in the concerned subject to be nominated by the Vice-Chancellor, out of a panel of six names approved by the Board—Members.	

(3) The Vice-Chancellor, or in his absence, his nominee shall preside at the meetings of the Selection Committee :

Provided that the meetings of the Selection Committee shall be fixed after prior consultation with the nominees of the Visitor :

Provided further that the proceedings of the Selection Committee shall not be valid unless at least two members, not in the service of the University are present in the meeting.

(4) The meeting of the Selection Committee shall be convened by the Vice-Chancellor or in his absence by his nominee.

(5) The procedure to be followed by the Selection Committee in making recommendations shall be decided by the Committee prior to the interview.

(6) If the Board is unable to accept the recommendations made by the Selection Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(7) Appointments to temporary posts shall be made in the manner indicated below :—

(i) the Vice-Chancellor shall have the authority to appoint a person on *ad hoc* basis for a period not exceeding six months extendable by a further period of six months with the approval of the Board :

Provided that if the Vice-Chancellor is satisfied that in the interest of work it is necessary to fill the vacancy, the appointment may be made on a purely temporary basis by the local Selection Committee referred to in sub-clause (ii) for the period not exceeding six months ;

(ii) if the temporary vacancy is for a period less than one year, an appointment to such vacancy shall be made on the recommendation of the local Selection Committee consisting of the Dean of the college concerned, the Head of the Department and a nominee of the Vice-Chancellor :

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may contain two nominees of the Vice-Chancellor :

Provided further that in case of sudden casual vacancies of teaching posts caused by death or any other reason, the Dean may, in consultation with the Head of the Department concerned, make a temporary appointment for one month and report to the Vice-Chancellor and the Registrar about such appointment ;

(iii) no teacher appointed temporarily shall, if he is not recommended by the regular Selection Committee for appointment under the Statutes, be continued in service on such temporary employment, unless he is subsequently selected by the local Selection Committee or the regular Selection Committee, for a temporary or permanent appointment, as the case may be.

(8) Mode of constitution of the Selection Committee for non-academic staff, not prescribed in the Statutes, shall be prescribed by the Ordinances.

Special mode of appointment

19. (1) Notwithstanding anything contained in Statute 18, the Board may invite a person of high academic distinction and professional attainments to accept a post of Professor or Associate Professor or any other academic post in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

(2) The Board may appoint a teacher or any other academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner laid down in the Ordinances.

Appointment for a fixed tenure

20. The Board may appoint a person selected in accordance with the procedure laid down in Statute 18 for a fixed tenure on such terms and conditions as it deems fit.

Qualifications of Director, Dean, Professor, etc.

21. (1) Qualifications of Director, Dean, Professor, Associate Professor and Assistant Professor of different Faculties and their equivalents in Research and Extension Education shall be as prescribed by the Ordinances.

(2) Qualification of non-academic staff shall be prescribed by the Ordinances.

Committees

22. (1) The authorities of the University specified in section 16 may appoint as many standing or special Committees as it may deem fit, and may appoint to such committees persons who are not members of such authority.

(2) Any such Committee appointed under clause (1) may deal with any subject delegated to it subject to confirmation by the authority appointing it.

Terms and conditions of service and code of conduct of the teachers, etc.

23. (1) All the teachers and other academic staff of the University shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes, the Ordinances and the Regulations.

(2) Every teacher and other staff of the University shall be appointed on a written contract, the term of which shall be prescribed by the Ordinances.

(3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

Terms and conditions of service and code of conduct of other employees

24. All the non-academic employees of the University, shall in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes, the Ordinances and the Regulations as made from time to time.

Seniority list

25. (1) Whenever, in accordance with the Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade and, in accordance with such other principles as the Board may, from time to time, prescribe.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and up-to-date seniority list in accordance with the provisions of clause (1).

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any person, submit the matter to the Board whose decision thereon shall be final.

Removal of employees of the University

26. (1) Where there is an allegation of misconduct against a teacher, a member of the academic staff or other employee of the University, the Vice-Chancellor, in the case of the teacher or member of the academic staff and the authority competent to appoint (hereinafter referred to as the appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee, as the case may be, under suspension and shall forthwith report to the Board, the circumstances in which the order was made :

Provided that the Board may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher or a member of the academic staff, revoke such order.

(2) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Board in respect of teacher and other academic staff and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, or other employees, as the case may be, on grounds of misconduct.

(3) Save as aforesaid, the Board or the appointing authority, as the case may be, shall not be entitled to remove any teacher, member of the academic staff or other employee except for a good cause and after giving three months, notice or on payment of three months salary in lieu thereof.

(4) No teacher, member of the academic staff or other employee shall be removed under clause (2) or clause (3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher, member of the academic staff or other employee shall take effect from the date on which the order of removal is made :

Provided that where the teacher, member of the academic staff or other employee is under suspension at the time of his removal, such removal shall take effect from the date on which he was placed under suspension.

(6) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, member of the academic staff or other employee may resign,—

(a) if he is a permanent employee, only after giving three months' notice in writing to the Board or the appointing authority, as the case may be, or by paying three months' salary in lieu thereof;

(b) if he is not a permanent employee, only after giving one month's notice in writing to the Board or, the appointing authority, as the case may be, or by paying one months' salary in lieu thereof:

Provided that such resignation shall take effect only on the date from which the resignation is accepted by the Board or the appointing authority, as the case may be.

Honorary degrees

27. (1) The Board may, on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two-thirds of the members present and voting, make proposals to the Visitor for the conferment of honorary degrees :

Provided that in case of emergency, the Board may, on its own motion, make such proposals.

(2) The Board may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw, with the previous sanction of the Visitor, any honorary degree conferred by the University.

Withdrawal of degrees, etc.

28. The Board may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause :

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such a resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Board.

Maintenance of discipline among students of the University

29. (1) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to such officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of study in a college, institution or Department of the University for a stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, college, institution or Department for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

(4) The Dean of colleges, institutions and Heads of the teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, institutions and teaching Departments in the University as may be necessary for the proper conduct of such colleges, institutions and teaching in the Departments.

(5) Without prejudice to the powers of the Vice-Chancellor, the Deans and other persons specified in clause (4), detailed rules of discipline and proper conduct shall be made by the University. The Deans of the colleges, institutions and Heads of the teaching Departments in the University may also make the supplementary rules as they deem necessary for the aforesaid purposes.

(6) At the time of admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University.

Maintenance of discipline among students of colleges, etc.

30. All powers relating to discipline and disciplinary action in relation to the students of the college or an institution maintained by the University, shall vest in the Dean of the College or institution, as the case may be, in accordance with the procedure prescribed by the Ordinances.

Convocations

31. Convocations of the University for the conferring of the degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

Acting Chairman

32. When no provision is made for a Chairman to preside over a meeting of any Committee or when the Chairman so provided for is absent, or the Vice-Chancellor has not in writing made any arrangement, the members shall elect one from among themselves to preside over meeting.

Resignation

33. Any member, other than an *ex officio* member of the Board, Academic Council or any other authority of the University or any committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

Disqualifications

34. (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University,—

(i) if he is of unsound mind ;

(ii) if he is an undischarged insolvent ;

(iii) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for a period of not less than six months.

(2) If any question arises as to whether a person is or has been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred to the Visitor and his decision thereon shall be final and no suit or other proceedings shall lie in any civil court against such decision.

Residence condition for membership and office

35. Notwithstanding anything contained in the Statutes, a person who is not ordinarily resident in India shall not be eligible to be an officer of the University or a member of any authority of the University.

Membership of authorities by virtue of membership of other bodies

36. Notwithstanding anything contained in the Statutes, a person who holds any post in the University or is a member of any authority of the University in his capacity as a member of a particular authority or as the holder of a particular appointment shall hold such office or membership only for so long as he continues to be a member of that particular authority or the holder of that particular appointment, as the case may be.

Alumni Association

37. (1) There shall be an *Alumni* Association for the University.

(2) The subscription for membership of the *Alumni* Association shall be prescribed by the Ordinances.

(3) No member of the *Alumni* Association shall be entitled to vote or stand for election unless he has been a member of the said Association for atleast one year prior to the date of the election and is a degree holder of the University of atleast five years standing :

Provided that the condition relating to the completion of one year's membership shall not apply in the case of the first election.

Students' Council

38. (1) There shall be, in each College of the University, a Students' Council for each cademic session for the purpose of making recommendations to the authorities of the University with regard to various activities relating to students welfare, including games, sports, dramatics, debates, cultural activities, etc., and such Council shall consist of,—

- (i) the Dean of the College-Chairperson ;
- (ii) all Hostel Wardens ;
- (iii) Campus Estate Officer ;
- (iv) five Heads of the Departments to be nominated by the Dean ;
- (v) Hostel Prefects ;
- (vi) one student from each class or year who has secured the Highest Overall Grade Point Average (OGPA) in the previous academic session ;
- (vii) Students Welfare Officer—Member-Secretary.

(2) The Students Council shall meet atleast once in each semester.

Ordinances how made

39. (1) The first Ordinances made under sub-section (2) of section 27 may be amended or repealed at any time by the Board in the manner specified below.

(2) No Ordinances in respect of the matters enumerated in section 27, other than those enumerated in clause (n) of sub-section (1) thereof shall be made by the Board unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Board shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (2), but may reject the proposal or return the draft to the Academic Council for reconsideration either in whole or in part, together with any amendment which the Board may suggest.

(4) Where the Board has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is reaffirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Board which shall either adopt it or refer it to the Visitor whose decision shall be final.

(5) Every Ordinance made by the Board shall come into effect immediately.

(6) Every Ordinance made by the Board shall be submitted to the Visitor within two weeks from the date of its adoption. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible, inform the Board about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance, or disallow the Ordinance and his decision shall be final.

Regulations

40. (1) The authorities of the University may make Regulations consistent with the Act, the Statutes and the Ordinances for the following matters, namely :—

- (i) laying down the procedure to be observed at their meeting and the number of members required to form a quorum ;
- (ii) providing for all matters which are required by the Act, the Statutes or the Ordinances to be specified by the Regulations ;
- (iii) providing for all other matters concerning such authority or committees appointed by them and not provided for by the Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authorities of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Board may direct the amendment in such manner as it may specify of any Regulation made under the Statutes or the annulment of any such Regulation.

Delegation of Powers

41. Subject to the provisions of the Act and the Statutes, any officer or authority of the University may delegate his or its power to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

Collaboration with other Institution and Organisations

42. The University shall have the authority to enter into an agreement through a Memorandum of Understanding with any research and/or academic institution of higher learning to conduct collaborative Post Graduate Research Programme to fulfil the partial requirement for the award of Master's and Ph.D. degrees of the University.

Constitution and Function of Research Council

43. (1) There shall be a Research Council of the University to exercise general supervision over the research policies and programmes of the University in the area of Agriculture and allied disciplines. The Research Council shall consist of the following members, namely :—

- (i) the Vice-Chancellor—Chairman ;
- (ii) Director of Extension Education—Member ;
- (iii) Director of Education—Member ;
- (iv) all Deans of the colleges of the University—Members ;
- (v) nominees of the State Governments not below the rank of Director—Members ;
- (vi) all co-ordinators of the Research teams of the University—Members ;
- (vii) two eminent agricultural scientists to be nominated by the Vice-Chancellor for three years—Members ;
- (viii) Director of Research—Member-Secretary.

(2) The Research Council shall meet at least once in a year.

(3) One-third members of the Research Council shall form a quorum for the meeting of the Research Council.

(4) If a vacancy occurs due to resignation or otherwise the same shall be filled up for the remaining period.

Constitution and function of the Extension Education Council

44. (1) There shall be an Extension Education Council of the University to exercise general supervision over the extension education policies and programmes of the University in the area of Agriculture and allied disciplines. The Extension Education Council shall consist of the following members, namely :—

- (i) the Vice-Chancellor—Chairman ;
- (ii) Director of Research—Member ;
- (iii) Director of Education—Member ;
- (iv) all Deans of the Colleges of the University—Members ;
- (v) nominees of the State Governments not below the rank of Director—Members ;
- (vi) farmers representatives from Bundelkhand and one woman social worker to be nominated by the Vice-Chancellor for a term of three years—Members ;
- (vii) two eminent scientists from outside the University to be nominated by the Vice-Chancellor for two years—Members ;
- (viii) Director of Extension Education—Member-Secretary.

(2) The Extension Education Council shall meet at least once in a year.

(3) One-third members of the Extension Education Council shall form a quorum for the meeting of the Extension Education Council.

Application of the Central Civil Services (Pension) Rules, 1972, etc.

45. (1) All regular employees of the University shall be governed by the provisions of the Central Civil Services (Pension) Rules, 1972, and General Provident Fund (Central Services) Rules, 1960, in respect of grant of pension and gratuity and general provident fund.

(2) Any amendment made by the Government of India in the Central Civil Services (Pension) Rules, 1972, and the General Provident Fund (Central Services) Rules, 1960, shall also be applicable to employees of the University.

(3) In respect of commutation of pension, the provisions of the Central Civil Services (Commutation of Pension) Rules, 1981, shall apply.

(4) The Vice-Chancellor shall be the pension sanctioning authority and the pension authorisation authority.

(5) Pension payment shall be centralised and controlled by Comptroller's office.

P. K. MALHOTRA,
Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 5th March 2014/Phalguna 14, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 4th March 2014, and is hereby published for general information :—

THE FINANCE ACT, 2014

(No. 11 of 2014)

An Act to continue the existing rates of income-tax for the financial year 2014-2015.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Finance Act, 2014.
- (2) Section 2 shall come into force on the 1st day of April, 2014.

CHAPTER II

RATES OF INCOME-TAX

2. *Income-tax.*—The provisions of section 2 of, and the First Schedule to, the Finance Act, 2013 (17 of 2013), shall apply in relation to income-tax for the assessment year or, as the case may be, the financial year commencing on the 1st day of April, 2014, as they apply in relation to income-tax for the assessment year or, as the case may be, the financial year commencing on the 1st day of April, 2013, with the following modifications, namely :—

(a) in section 2,—

- (i) in sub-section (1), for the figures “2013”, the figures “2014” shall be substituted ;
- (ii) in sub-section (3), for the first, second and third provisos, the following provisos shall be substituted, namely :—

“Provided that the amount of income-tax computed in accordance with the provisions of section 111A or section 112 shall be increased by a surcharge, for purposes of the Union, as provided in Paragraphs A, B, C, D or Paragraph E of Part I of the First Schedule :

Provided further that in respect of any income chargeable to tax under sections 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BB, 115BBA, 115BBC, 115BBD, 115BBE, 115E, 115JB or section 115JC of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for purposes of the Union, calculated,—

(A) in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, or co-operative society or firm or local authority, at the rate of ten per cent. of such income-tax, where the total income exceeds one crore rupees ;

(B) in the case of every domestic company,—

- (i) at the rate of five per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees ;
- (ii) at the rate of ten per cent. of such income-tax, where the total income exceeds ten crore rupees ;

(C) in the case of every company, other than a domestic company,—

- (i) at the rate of two per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees ;

(ii) at the rate of five per cent. of such income-tax, where the total income exceeds ten crore rupees :

Provided also that in the case of persons mentioned in item (A) of second proviso, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees :

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees :

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.” ;

(iii) in sub-section (13), in clause (a), for the figures “2013”, the figures “2014” shall be substituted ; (b) in the First Schedule,—

(i) for Part I, the following Part I shall be substituted, namely :—

“PART I

INCOME-TAX

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

- | | |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| (1) where the total income does not exceed Rs. 2,00,000. | <i>Nil</i> ; |
| (2) where the total income exceeds Rs. 2,00,000 but does not exceed Rs. 5,00,000 | 10 per cent. of the amount by which the total income exceeds Rs. 2,00,000 ; |
| (3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 | Rs. 30,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000 ; |
| (4) where the total income exceeds Rs. 10,00,000 | Rs. 1,30,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000. |

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

Rates of income-tax

- | | |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| (1) where the total income does not exceed Rs. 2,50,000 | <i>Nil</i> ; |
| (2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000 | 10 per cent. of the amount by which the total income exceeds Rs. 2,50,000 ; |
| (3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 | Rs. 25,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000 ; |
| (4) where the total income exceeds Rs. 10,00,000 | Rs. 1,25,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000. |

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

Rates of income-tax

- | | |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| (1) where the total income does not exceed
Rs. 5,00,000 | Nil ; |
| (2) where the total income exceeds Rs. 5,00,000
but does not exceed Rs. 10,00,000 | 20 per cent. of the amount by which the total
income exceeds Rs. 5,00,000 ; |
| (3) where the total income exceeds Rs. 10,00,000 | Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by
which the total income exceeds Rs. 10,00,000. |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112, shall, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of ten per cent. of such income-tax :

Provided that in the case of persons mentioned in this Paragraph, having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

- | | |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| (1) where the total income does not exceed
Rs. 10,000 | 10 per cent. of the total income ; |
| (2) where the total income exceeds Rs. 10,000
but does not exceed Rs. 20,000 | Rs. 1,000 <i>plus</i> 20 per cent. of the amount by
which the total income exceeds Rs.10,000 ; |
| (3) where the total income exceeds Rs. 20,000 | Rs. 3,000 <i>plus</i> 30 per cent. of the amount by
which the total income exceeds Rs. 20,000. |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112, shall, in the case of every co-operative society, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of ten per cent. of such income-tax :

Provided that in the case of every co-operative society mentioned in this Paragraph, having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112, shall, in the case of every firm, having

a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of ten per cent. of such income-tax :

Provided that in the case of every firm mentioned in this Paragraph, having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112, shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of ten per cent. of such income-tax :

Provided that in the case of every local authority mentioned in this Paragraph, having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph E

In the case of a company,—

Rates of income-tax

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| I. In the case of a domestic company | 30 per cent. of the total income ; |
| II. In the case of a company other than a domestic company— | |
| (i) on so much of the total income as consists of,— | |
| (a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976 ; or | |
| (b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976, | |
| and where such agreement has, in either case, been approved by the Central Government | 50 per cent. ; |
| (ii) on the balance, if any, of the total income | 40 per cent. |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112, shall, be increased by a surcharge for the purposes of the Union calculated,—

(i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of five per cent. of such income-tax ; and

(b) having a total income exceeding ten crore rupees, at the rate of ten per cent. of such income-tax ;

(ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax ; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax :

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.” ;

(ii) in Part IV, in Rule 8,—

(A) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely :—

“(1) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2014, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April, 2008 or the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2006, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2007 or the 1st day of April, 2008 or the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2007, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2008 or the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2008, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2009, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2010, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2011, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2012 or the 1st day of April, 2013,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2012, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2013,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2013,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2014.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2015, or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2007 or the 1st day of April, 2008 or the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014, is a loss, then, for the purposes of sub-section (10) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2007, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2008 or the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2008, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2009 or the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2009, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2010 or the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2010, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2011 or the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2011, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2012 or the 1st day of April, 2013 or the 1st day of April, 2014,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2012, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2013 or the 1st day of April, 2014,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2013, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2014,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2014,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2015.” ;

(B) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) Notwithstanding anything contained in this rule, no loss which has not been determined by the Assessing Officer under the provisions of these rules or the rules contained in Part IV of the First Schedule to the Finance Act, 2006 (21 of 2006), or of the First Schedule to the Finance Act, 2007 (22 of 2007), or of the First Schedule to the Finance Act, 2008 (18 of 2008), or of the First Schedule to the Finance (No. 2) Act, 2009 (33 of 2009), or of the First Schedule to the 1 Finance Act, 2010 (14 of 2010), or of the First Schedule to the Finance Act, 2011 (8 of 2011), or of the First Schedule to the Finance Act, 2012 (23 of 2012), or of the First Schedule to the Finance Act, 2013 (17 of 2013) shall be set off under sub-rule (1) or, as the case may be, sub-rule (2).”.

P. K. MALHOTRA,
Secretary to the Government of India.

MINISTRY OF LAW AND JUSTICE

(LEGISLATIVE DEPARTMENT)

New Delhi, the 10th March 2014/Phalguna 19, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 7th March 2014, and is hereby published for general information :—

THE NARCOTIC DRUGHS AND PSYCHOTROPIC SUBSTANCES

(No. 16 of 2014)

An Act to further to amend the Narcotic Drugs and Psychotropic Substances Act, 1985.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Narcotic Drugs and Psychotropic Substances (Amendment) Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 2.—In section 2 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985) (hereinafter referred to as the principal Act),—

(a) after clause (iv), the following clause shall be inserted, namely :—

“(iva) “Central Government factories” means factories owned by the Central Government or factories owned by any company in which the Central Government holds at least fifty-one per cent. of the paid-up share capital ;”

(b) clause (viii) shall be relettered as clause (viii) and before, clause (viii) as so relettered, the following clause shall be inserted, namely :—

“(viii) “essential narcotic drug” means a narcotic drug notified by the Central Government for medical and scientific use ;”.

3. Amendment of section 4.—In section 4 of the principal Act,—

(a) in sub-section (1), after the words “the illicit traffic therein”, the words “and for ensuring their medical and scientific use” shall be inserted ;

(b) in sub-section (2), after clause (d), the following clause shall be inserted, namely :—

“(da) availability of narcotic drugs and psychotropic substances for medical and scientific use ;”.

4. Amendment of section 9.—In section 9 of the principal Act,—

(a) in sub-section (1), in clause (a),—

(i) after sub-clause (iii), the following sub-clause shall be inserted, namely :—

“(iii) the possession, transport, import inter-State, export inter-State, warehousing, sale, purchase, consumption and use of poppy straw produced from plants from which no juice has been extracted through lancing ;”.

(ii) after sub-clause (v), the following shall be inserted, namely :—

(va) the manufacture, possession, transport, import inter-State, export inter-State, sale, purchase, consumption and use of essential narcotic drugs :

Provided that where, in respect of an essential narcotic drug, the State Government has granted licence or permit under the provisions of section 10 prior to the commencement of the Narcotic Drugs and Psychotropic Substances (Amendment) Act, 2014, such licence or permit shall continue to be valid till the date of its expiry or for a period of twelve months from such commencement, whichever is earlier.” ;

(b) in sub-section (2), after clause (h), the following clause shall be inserted, namely :—

“(ha) prescribe the forms and conditions of licences or permits for the manufacture, possession, transport, import inter-State, export inter-State, sale, purchase, consumption or use of essential narcotic drugs, the authorities by which such licence or permit may be granted and the fees that may be charged therefor ;”.

5. Amendment of section 10.—In section 10 of the principal Act, in sub-section (1), in clause (a),—

(a) in sub-clause (i), after the words “poppy straw”, the words “except poppy straw produced from plants from which no juice has been extracted through lancing” shall be inserted ;

(b) in sub-clause (v), for the words “manufactured drugs other than prepared opium”, the words and brackets “manufactured drugs (other than prepared opium and essential narcotic drugs)” shall be inserted.

6. Amendment of section 15.—In section 15 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

7. Amendment of section 17.—In section 17 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

8. Amendment of section 18.—In section 18 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

9. Amendment of section 20.—In section 20 of the principal Act, in clause (b), in sub-clause (ii), in item (A), for the words “six months”, the words “one year” shall be substituted.

10. Amendment of section 21.—In section 21 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

11. Amendment of section 22.—In section 22 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

12. Amendment of section 23.—In section 23 of the principal Act, in clause (a), for the words “six months”, the words “one year” shall be substituted.

13. Insertion of new section 27B.—After section 27A of the principal Act, the following section shall be inserted, namely :—

“27B. *Punishment for contravention of section 8A.*—Whoever contravenes the provision of section 8A shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to ten years and shall also be liable to fine.”.

14. Amendment of section 31.—In section 31 of the principal Act,—

(a) in sub-section (1),—

(i) for the words “one-half of the maximum term”, the words “one and one-half times of the maximum term” shall be substituted ;

(ii) for the words “one-half of the maximum amount”, the words “one and one-half times of the maximum amount” shall be substituted ;

(b) in sub-section (2),—

(i) for the words “one-half of the minimum term”, the words “one and one-half times of the minimum term” shall be substituted ;

(ii) for the words “one-half of the minimum amount”, the words “one and one-half times of the minimum amount” shall be substituted.

15. Amendment of section 31A.—In section 31A of the principal Act, in sub-section (1), for the words “shall be punishable with death”, the words and figures “shall be punished with punishment which shall not be less than the punishment specified in section 31 or with death” shall be substituted.

16. Amendment of section 42.—In section 42 of the principal Act, in sub-section (1), in the proviso, for the words “Provided that”, the following shall be substituted, namely :—

“Provided that in respect of holder of a licence for manufacture of manufactured drugs or psychotropic substances or controlled substances granted under this Act or any rule or order made thereunder, such power shall be exercised by an officer not below the rank of sub-inspector :

Provided further that”.

17. Amendment of section 52A.—In section 52A of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Central Government may, having regard to the hazardous nature, vulnerability to theft, substitution, constraint of proper storage space or any other relevant consideration, in respect of any narcotic drugs, psychotropic substances, controlled substances or conveyances, by notification in the *Official Gazette*, specify such narcotic drugs, psychotropic substances, controlled substances or conveyance or class of narcotic drugs, class of psychotropic substances, class of controlled substances or conveyances, which shall, as soon as may be after their seizure, be disposed of by such officer and in such manner as that Government may, from time to time, determine after following the procedure hereinafter specified.” ;

(b) in sub-section (2),—

(i) for the words “narcotic drug or psychotropic substance” and “narcotic drugs or psychotropic substances”, wherever they occur, the words “narcotic drugs, psychotropic substances, controlled substances or conveyances” shall be substituted ;

(ii) in clause (b), for the words “such drugs or substances”, the words “such drugs, substances or conveyances” shall be substituted ;

(c) in sub-section (4), for the words “narcotic drugs or psychotropic substances”, the words “narcotic drugs, psychotropic substances, controlled substances or conveyances” shall be substituted.

18. Insertion of new section 57A.—After section 57 of the principal Act, the following section shall be inserted, namely :—

“57A. *Report of seizure of property of the person arrested by the notified officer.*—Whenever any officer notified under section 53 makes an arrest or seizure under this Act, and the provisions of Chapter VA apply to any person involved in the case of such arrest or seizure, the officer shall make a report of the illegally acquired properties of such person to the jurisdictional competent authority within ninety days of the arrest or seizure.”.

19. Substitution of new heading for heading of Chapter VA.—In Chapter VA of the principal Act, for the heading “FORFEITURE OF PROPERTY DERIVED FROM, OR USED IN ILLICIT TRAFFIC”, the heading “FORFEITURE OF ILLEGALLY ACQUIRED PROPERTY” shall be substituted.

20. Amendment of section 68B.—In section 68B of the principal Act,—

(a) in clause (g),—

(i) in sub-clause (i), for the words “of this Act ; or”, the words “of this Act or the equivalent value of such property ; or” shall be substituted ;

(ii) in sub-clause (ii), for the words “such property,”, the words “such property or the equivalent value of such property ; or” shall be substituted ;

(iii) after sub-clause (ii), the following sub-clause shall be inserted, namely :—

“(iii) any property acquired by such person, whether before or after the commencement of the Narcotic Drugs and Psychotropic Substances (Amendment) Act, 2014, wholly or partly out of or by means of any income, earnings or assets the source of which cannot be proved, or the equivalent value of such property ;” ;

(b) for clause (h), the following clause shall be substituted, namely :—

‘(h) “property” means any property or assets of every description, whether corporeal or incorporeal, movable or immovable, tangible or intangible, wherever located and includes deeds and instruments evidencing title to, or interest in, such property or assets ;’.

21. Amendment of section 68D.—In section 68D of the principal Act, in sub-section (1), for the words "any Collector of Customs or Collector of Central Excise", the words "any Commissioner of Customs or Commissioner of Central Excise" shall be substituted.

22. Amendment of section 68H.—In section 68H of the principal Act, the following *Explanation* shall be inserted at the end, namely :—

“*Explanation.*—For the removal of doubts, it is hereby declared that in a case where the provisions of section 68J are applicable, no notice under this section shall be invalid merely on the ground that it fails to mention the evidence relied upon or it fails to establish a direct nexus between the property sought to be forfeited and any activity in contravention of the provisions of this Act.”.

23. Amendment of section 68-O.—In section 68-O of the principal Act, in sub-section (4), after the proviso, the following proviso shall be inserted, namely :—

“Provided further that if the office of the Chairman is vacant by reason of his death, resignation or otherwise, or if the Chairman is unable to discharge his duties owing to absence, illness or any other cause, the Central Government may, by order, nominate any member to act as the Chairman until a new Chairman is appointed and assumes charge or, as the case may be, resumes his duties.”.

24. Amendment of section 71—In section 71 of the principal Act, in sub-section (1), for the words “The Government may, in its discretion, establish, as many centres as it thinks fit for identification, treatment”, the words “The Government may establish, recognise or approve as many centres as it thinks fit for identification, treatment, management” shall be substituted.

P. K. MALHOTRA,
Secretary to the Government of India.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Principal Secretary to Government,
Law and Judiciary Department.